



Consultation Round Three, Analysis of Submissions March 2023

Contents

Executive Summary	3
Introduction	11
1. Submission Process and Consultation Questions	11
2. Method	12
a. Survey method	12
b. Online submission platform	12
c. Design of consultation questions	13
d. Closed-ended questions and analysis.....	14
e. Open-ended questions and text analysis	14
3. Number of submissions and responses by question	16
a. Number of submissions.....	16
b. Number of hives owned	16
c. Submitter characteristics	17
d. Number of responses to questions in the consultation questionnaire	18
4. Findings	21
a. Overview of preferences for each of the proposed changes	21
b. Preferences for proposed amended rules and new rules (questions 3–13).....	31
c. Key themes – proposed training requirements.....	51
d. Key themes – proposed provision of laboratory test results.....	59
e. Key theme – proposed requirements for beehive transfers	63
f. Preferences for proposed offences and penalties (questions 14–19)	65
g. Key themes – proposed offences and penalties.....	75
h. Preferences for proposed powers to implement the AFB Plan (questions 20–21).	84
i. Key themes – proposed new powers	88
j. Key themes – overarching views.....	97
k. Key themes – management structure and review process	103



This report has been prepared with care and diligence and the analysis of submissions has been undertaken in good faith. This report was undertaken by the author for the AFB Management Agency.

The participation of beekeepers in the submission process is acknowledged and appreciated.

Author: Jan Mackay, researcher and policy analyst, March 2023

Executive Summary

1. During 2021–2022 a three-round consultation process was conducted by the Management Agency, National American Foulbrood Pest Management Plan (the Agency), on what, if any, new plan rules or powers are needed in the National American Foulbrood Pest Management Plan (the Plan). The current Plan is due to expire on 1 April 2023 and the Agency is proposing a new Plan.
2. The Round Three consultation took place during August–September 2022 to seek the views of beekeepers on the proposed detailed changes to the existing Plan. The findings of the Round Three consultation are set out in this report.
3. There were 289 submitters to the Round Three consultation and most (280) made their submission using the consultation questionnaire. Of these, 271 were made online using the SurveyMonkey platform. In addition, there were 11 written submissions (referred to as ‘letter submissions’), two of which were in combination with a questionnaire submission. The number of submissions received for Round Three was fewer than the numbers received for Rounds One (434) and Two (342).
4. Sixty-five percent of submitters making questionnaire submissions owned fewer than 11 hives. This is lower than the national percentage where 80% of all beekeepers own fewer than 11 hives. By contrast, 17% of submitters making questionnaire submissions owned more than 250 hives. This is higher than the national percentage where 4% of all beekeepers own more than 250 hives.
5. The largest group of submitters were DECA holders (196). Other groups were non-DECA holders (67), ‘other’ (28), and Māori businesses (7). The ‘other’ group included small commercial/family beekeeping businesses, scientist, tutor, and inspector. For Māori businesses, five of the seven submitters owned 251 or more hives. Two of these owned 1001 or more hives.
6. There were 23 consultation questions seeking submitter preferences and views on each of the proposed new and amended changes to the Plan. Seventeen closed-ended questions asked submitters whether they agreed with a specific change and to choose an answer that best described their view. The answer options were set on an evenly balanced five-point scale. Submitters were able to skip questions, answering as many or as few as they wished. Four open-ended questions invited submitters to write their views on all or any of the question areas covered. There was no text limit on open-ended questions.

7. For the 280 questionnaire submissions, each of the proposed changes was supported by at least 56% of submitters overall. The consultation questions for each proposed change are listed in the table below and ranked in order from those proposed changes that received the most support (shaded in green), to those that received the least support (shaded in orange).

Consultation questions	Agreed/ Strongly agree	Disagreed/ Strongly disagree	Neither agree or disagree
We are proposing that DECA holders ensure their employee beekeepers have passed a recognised course in AFB recognition within 6 months of their employment if they haven't passed a course prior to employment. Do you agree? (Consultation Question 4)	84% (n=232)	12% (n=33)	4% (n=11)
We are proposing that authorised persons have the power to destroy AFB infected beehives and take actions to prevent the spread of AFB. Do you agree? (Consultation Question 20)	83% (n=229)	11% (n=31)	5% (n=15)
We are proposing that new beekeepers can apply for a registration number before registering their first apiary. Do you agree? (Consultation Question 3)	83% (n=229)	6% (n=16)	11% (n=31)
We are proposing that beekeepers are required to provide beekeeper registration numbers when recording beehive transfers (sales and purchases) as part of the Annual Disease Return. Do you agree? (Consultation Question 12)	82% (n=224)	8% (n=23)	10% (n=27)
We are proposing that authorised persons have the power to use detector dogs to find AFB if the scientific community confirm that detector dogs are effective. Do you agree? (Consultation Question 21)	78% (n=215)	12% (n=33)	10% (n=27)
We are proposing that a breach of the rule 'Obligation of beekeeper to destroy honeybees and materials' is an offence. Do you agree? (Consultation Question 18)	77% (n=211)	11% (n=29)	12% (n=34)
We are proposing that DECA holders ensure their employee beekeepers attend a recognised AFB Refresher Course once every 5 years. Do you agree? (Consultation Question 5)	76% (n=209)	13% (n=36)	11% (n=30)
We are proposing that beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place. Do you agree? (Consultation Question 11)	73% (n=200)	15% (n=40)	12% (n=34)
We are proposing that DECA holders are required to keep a record of their employee beekeeper dates of employment and AFB training records for 2 years, and to provide these records to the Management Agency if requested. Do you agree? (Consultation Question 6)	72% (n=198)	14% (n=39)	14% (n=39)
We are proposing that any DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect. Do you agree? (Consultation Question 9)	71% (n=196)	16% (n=44)	13% (n=37)
We are proposing that diagnostic laboratories are required to provide the Management Agency with all AFB testing results and contact details for the submitter and beekeeper. Do you agree? (Consultation Question 10)	71% (n=196)	20% (n=56)	9% (n=25)

We are proposing that a breach of the rule ‘Obligation to keep honeybees in moveable frame hives will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 15)	65% (n=177)	22% (n=59)	14% (n=38)
We are proposing that any DECA holder who does not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled. Do you agree? (Consultation Question 8)	60% (n=164)	24% (n=66)	17% (n=46)
We are proposing that a breach of the rule ‘Prohibition on keeping bees in a place other than an apiary’ will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 14)	60% (n=162)	26% (n=72)	14% (n=38)
We are proposing that a breach of the rule ‘Certificate of Inspection (COI)’ will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 16)	59% (n=162)	25% (n=68)	16% (n=45)
We are proposing that a breach of the rule ‘Annual Disease Return’ will be subject to an infringement fine of \$200 for an individual or \$400 for a corporation. Do you agree? (Consultation Question 17)	57% (n=156)	25% (n=69)	18% (n=48)
We are proposing that any DECA holder who does not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled. Do you agree? (Consultation Question 7)	56% (n=156)	27% (n=76)	16% (n=45)

8. For the questionnaire submitters, there were differences in the level of support for some of the proposed changes by the number of hives owned. While more most beekeepers owning 1–50 hives supported the proposed changes, there was a mixed reaction amongst owners of 51 or more hives.
9. For owners of 51 –250 hives, there was less than 50% agreement for:
- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
 - infringement fines for breach of Rule ‘Prohibition on keeping bees in a place other than an apiary’ (Consultation Question 14).
10. For owners of 251-500 hives, there was less than 50% agreement for:
- new ground for cancelling a DECA, that is for not completing AFB Refresher every five years (Consultation Question 7).

11. For owners of 501-1000 hives, there was less than 50% agreement for:

- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
- new DECA holder responsibility to keep a record of their employee beekeeper dates of employment (Consultation Question 6)
- provision of two years to comply with new training requirements when the new AFB PMP takes effect (Consultation Question 9)
- requirement for diagnostic laboratories to provide AFB test results to the Management Agency (Consultation Question 10)
- infringement fine for breach of Rule 'Certificate of Inspection' (Consultation Question 16).

12. For owners of 1000 or more hives, there was less than 50% agreement for:

- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
- new DECA holder responsibility to ensure employees have passed a course in AFB recognition, and attend an AFB Refresher course every five years (Consultation Questions 4 and 5)
- new DECA holder responsibility to keep a record of their employee beekeeper dates of employment (Consultation Question 6)
- requirement for diagnostic laboratories to provide AFB test results to the Management Agency (Consultation Question 10)
- infringement fines for breach of two Rules 'Prohibition on keeping bees in a place other than an apiary' and 'Annual Disease Return' (Consultation Questions 14 and 17)
- new Power for Authorised persons to use detector dogs to find AFB (Consultation Question 21).

13. For Māori business questionnaire submitters (7), there was at least 57% agreement for each of the proposed changes. Overall, compared with the combined preferences of all questionnaire submitters, Māori businesses expressed higher or similar levels of agreement for each of the proposed changes.

14. Many submitters provided comment about their reasons for objecting to one or more of the proposed changes. These were thematically analysed and summarised under key theme headings. Twenty-eight key theme areas were identified, and their numbering corresponds with their presentation in the body of document.

Proposed training requirements – key themes

15. Proposals for new training requirements were unpopular amongst beekeepers with higher numbers of hives. Key theme areas are summarised below.

- 1) The term ‘employees’ needs specifying. Not all employees are involved in bee husbandry, and not all employees have responsibilities that require AFB recognition training. The training timeframe is too short and is inconsistent with non-employee beekeeper requirements.
- 2) Employers are responsible for staff training and provide better training than the Management Agency. Employee training records are private information.
- 3) Experienced and commercial beekeepers should not have to attend refreshers, but newer beekeepers may benefit. There was also a view that five years was too infrequent. Another view was that workshops for commercial beekeepers are important as they own most of the hives.
- 4) Training courses need to be better and be free, and the best training is provided in the field.
- 5) Training course attendance is an unreliable indicator of ability to detect AFB. AFB is easy to recognise. It is the ability and willingness to act when AFB is found that matters. The problem is ineffective management systems and lack of action when AFB is detected.
- 6) The role of a Disease Elimination Compliance Agreement (DECA) needs clarification. Some considered a DECA should not be cancelled and should not be used to require attendance at training courses. There was also view that a DECA should not be cancelled if a beekeeper has increased AFB due to neighbouring infections.

Proposed requirement to provide AFB laboratory test results – key themes

16. Proposals for the provision of AFB testing results were unpopular amongst beekeepers with higher numbers of hives. Key theme areas are summarised below.

- 7) Laboratory test results are private, commercially sensitive, and need to be protected. Results should only be provided with owner consent and/or if paid for by the Management Agency. Some beekeepers may be discouraged from testing.
- 8) Need strict privacy protections for beekeeper information. Testing results must be protected, and safe data storage ensured.
- 9) Costs and logistics need to be viable for diagnostic laboratories to comply.

Proposed requirements for reporting beehive transfers – key theme

17. There were some comments objecting to proposed requirements regarding beehive transfers. These comments are summarised in the following theme.

- 10) The requirement to notify beehive transfers within 14 days is unnecessary or does not allow enough time. The requirement to provide beekeeper registration numbers when notifying transfers in the Annual Disease Returns is unnecessary. Another view was to extend the requirement to include hive components and freely given hives.

Proposed offences and penalties – key themes

18. Many submitters provided comment about their reasons for objecting to one or more of the proposed offences and penalties. Key theme areas are summarised below.

- 11) Fines are heavy-handed, ineffective, and expensive to administer. Fines won't deter the non-compliant. It is revenue collecting and will lead to under-reporting of AFB. The focus should be on education not penalties.
- 12) The fines structure is not weighted properly. Penalties should reflect the seriousness of the offence, the size of the beekeeping operation, and allow discretion for mitigating circumstances and history of non-compliance.
- 13) Fines should be a last resort. Education, good communication, and warnings are needed first.
- 14) Enforcement, complaints, and appeal processes need to be clearly outlined and put in place. Enforcement of the rules must be fair and measured. Some raised concerns about conflicts of interests by enforcers.

19. Some made comments on proposed penalties for specific rules, and/or the rule itself.

- 15) Proposed penalties for breaching the 'Annual Disease Return' and 'Certificate of Inspection Rule' are harsh and difficult to comply with.
- 16) Pollinating hives should be exempt from the 'prohibition on keeping bees in a place other than an apiary' rule as it's impractical to comply. Pollination hives may be on an orchard for more than 30 days. There was also a contrary view that the registration period should be shorter.
- 17) It isn't always feasible to destroy hives within seven days as required by the existing rule 'obligation of beekeeper to destroy honeybees and materials'. It can be a problem if there is a fire ban in place, or adverse weather conditions, or it's a remote site. Burning plastic hives is also a problem.

Proposed new powers – key themes

20. For those who objected to, or raised concerns about the proposed ‘General Powers’, key theme areas are summarised below.

- 18) A clear decision-making process for authorising hive destruction is needed, covering evidence criteria, items to be destroyed, and timeframe. Evidence of AFB infection must be robust. More detail is needed about ‘General Powers’.
- 19) Hive destruction has serious impacts on owner livelihoods and owners must be involved. Destruction is not the only answer.
- 20) Powers of Authorised Persons may be too far-reaching.
- 21) Safeguards needed to protect beekeeper rights, including complaints, reviews, and appeals processes.

21. For those who objected to or raised concerns about the proposed ‘Use of dogs and devices’, the key theme area is summarised below.

- 22) No need for this power. Dogs are unreliable and the detection of AFB by dogs should never be the basis for hive destruction. There are better methods such as qPCR testing. If used, AFB detection should always be confirmed by visual and/or laboratory testing. Dogs aren’t always welcome.
- 23) Trained dogs may prove to be very effective at detecting AFB. This proposal should include provision for both the dog and the dog handler to inspect hives.

Overarching views – key themes

22. Comments were made about the overall approach to AFB elimination and the proposed new AFB Pest Management Plan. Key theme areas are summarised below.

- 24) AFB should be detected very quickly before it spreads, and qPCR tests are an effective tool for early detection. Too many DECA holders are failing to detect, report, and/or eliminate AFB. Non-compliant beekeepers need to be targeted.
- 25) Overall, the proposed changes are heavy-handed, won’t work, and are costly. The incidence of AFB will increase during these difficult times for the industry, and these proposals will make things harder. There is an argument both for and against compensation for destroyed hives.
- 26) Costs of the proposals fall most heavily on commercial beekeepers, but comparatively hobby beekeepers have the biggest say. Proposed changes need to recognise differences between the two groups.

Management structure and AFB Plan review process – key themes

23. Comments were also made about the AFB Management Agency and the way the AFB Plan Review has been managed. Key theme areas are summarised below.
- 27) The Management Agency should be representative of beekeepers and independent from ApiNZ. The levy is not well spent, and the levy structure doesn't work well.
 - 28) The AFB PMP Review should have been conducted independently. Communication, consultation, and submission processes were poor and biased towards hobby beekeepers. The proposed changes are poorly thought out and the cost-benefit analysis was flawed.

Introduction

During 2021–2022 a three-round consultation process was conducted by the Management Agency, National American Foulbrood Pest Management Plan (the Agency), on the American Foulbrood Pest Management Plan (the Plan). The current Plan is due to expire on 1 April 2023 and the Agency is proposing a new Plan. The purpose of the consultation was to seek the views of beekeepers on what, if any, new plan rules or powers are needed in the new Plan.

Three rounds of consultation were conducted amongst beekeepers during 2021–2022 to inform the development of the new proposed Plan. The first round was to seek the views and ideas of submitters on the potential contents of a new Plan. These findings informed the development of recommended changes that were subject to the second round of consultation. In turn, these findings informed the development of a proposed detailed Plan that was subject to this third and final round of consultation.

This report summarises the findings of the third round of consultation undertaken during August–September 2022. For this round, the consultation purpose was to seek the views of submitters on the proposed new Plan, with a focus on the detailed amendments and additions to the existing Plan.

This report is presented in the following parts.

1. Submission process and consultation questions.
2. Method.
3. Number of submissions and responses by question.
4. Findings.

1. Submission Process and Consultation Questions

For the Round Three consultation (August–September 2022), beekeepers were invited to give feedback on each of the proposed rule changes and new rules for the Plan and indicate their preferences. Beekeepers were invited to make submissions by:

- completing a questionnaire using the SurveyMonkey online submission tool, or
- sending their submission by email or hard copy post to the Management Agency.

The period for making a submission was from Monday 15 August 2022 and closed at 5 pm on Friday 23 September 2022.

The invitation to make a submission was emailed to all registered beekeepers with a valid email address. For those beekeepers without a valid email address, hard copy information was sent through the regular postal services. Consultation materials were developed and posted on the AFB Agency website, including a copy of the proposed changes to the AFB Plan as well as the cost benefit analysis.

There were 23 consultation questions as shown in Table 3 in the next section. Nineteen questions were close-ended and invited submitters to indicate their level of support for each specific proposed change or new rule.

2. Method

a. Survey method

Submissions are a way of people presenting their views to decision-makers, typically by way of a written submission, and sometimes by way of an oral submission. For instance, the New Zealand Parliament provides guidelines about how to write and submit a submission [How to make a submission - New Zealand Parliament \(www.parliament.nz\)](http://www.parliament.nz).

Submissions are an important way for people to express their views and the Agency sought to encourage beekeeper participation in this process. The Agency recognised that written submissions can be time-consuming to prepare, and that if this was the only way of making a submission, it was likely to limit beekeeper participation in the submission process.

The use of a survey method aimed to help overcome this barrier and make it easier for beekeepers to make a submission. “A survey method is a process, tool, or technique that you can use to gather information in research by asking questions to a predefined group of people”¹. Using this method, the consultation questions were asked in a survey format and all registered beekeepers were invited to participate.

Responding to consultation questions in a survey format provided a relatively quick and easy mechanism for beekeepers to express their views. It was envisaged that this method would increase participation. In addition to submissions collected using the survey format, beekeepers were also invited to submit written submissions.

All submissions, regardless of the format in which they were provided, were analysed and the findings are described in this report. This included written submissions, emails, and letters.

b. Online submission platform

The online SurveyMonkey platform was offered as the main way of making a submission. SurveyMonkey is an online survey tool that is a user-friendly and cost-effective tool for collecting and analysing responses to consultation questions. It has been used as an online submission tool by

¹ Survey Methods: Definition, Types, and Examples (formpl.us)

other agencies and organisations. For instance, it has been used as an online submission tool by the Ministry of Primary Industries² and the Health Research Council of New Zealand³.

c. Design of consultation questions

There were 23 consultation questions (see Table 3) to gauge submitter preferences and views on each of the proposed new and amended changes to the Plan.

The questions were grouped in three parts:

- amended and new rules (excluding penalty proposals)
- penalties and infringement fines
- new powers to implement the AFB Plan.

The questions comprised 19 closed-ended questions and four open-ended questions. A closed-ended question is “a type of research question in which respondents must choose from a fixed set of answers”.⁴ An open-ended question is one “in which respondents are free to offer any answer they wish to the question”.⁵

Closed-ended questions have the advantage of being easier to answer, especially for submitters with less time or literacy skills, and for answers to be compared. Open-ended questions have the advantage of providing submitters the freedom to write detailed responses, discuss complex issues, and describe the reasons for their preferences and views.⁶

The consultation questions contained closed- and open-ended questions to maximise the advantages of both types. Close-ended questions were posed to ascertain the level of agreement for each new or amended change, and submitters were invited to select an answer that best represented their view (all answer choices are shown in section d below). Open-ended questions were placed at the end of each of the three question parts, inviting submitters to write their views on all or any of the question areas covered in that part.

On SurveyMonkey, submitters were able to provide long responses to open-ended questions if they wished as there was no set word limit. Submitters were also able to skip questions, answering as many or as few as they wished.

² See: <https://www.mpi.govt.nz/consultations/new-wine-standards-management-plan/>

³ See: [https://hrc.govt.nz/sites/default/files/2019-12/Consultation Analysis.pdf](https://hrc.govt.nz/sites/default/files/2019-12/Consultation%20Analysis.pdf)

⁴ Neuman, W. L. (2006). *Social Research Methods. Qualitative and Quantitative Approaches*, p. 287.

⁵ *Ibid.*, p. 286.

⁶ *Ibid.*, p. 287.

The consultation questions written in the survey format are referred to as the 'consultation questionnaire' and was also available as a hard copy version for those who preferred to use paper and/or did not have Internet access.

Submissions made using the consultation questionnaire are referred to as 'questionnaire submissions' for the purposes of this report.

d. Closed-ended questions and analysis

The 19 closed-ended questions required submitters to choose an answer from a set of choices. Two of the closed-ended questions were to collect information about submitter characteristics (i.e., industry category and hive numbers), and the remaining 17 questions asked submitters whether they agreed with a specific change and to choose an answer that best described their view.

The options for answering the 17 closed-ended questions were set on a scale, known as a Likert scale, to assess the level of agreement or disagreement to the corresponding statement. Likert scales are often used in survey research in which people express attitudes or other responses in terms of ordinal-level categories (e.g., agree, disagree, etc.) that are ranked along a continuum.⁷

The answer options were set on an evenly balanced five-point scale:

- strongly agree
- agree
- neither agree or disagree
- disagree
- strongly disagree.

The online responses to closed-ended consultation questions were analysed using SurveyMonkey software, which calculated the number and percentage of respondents that chose each of the respective answer options. Responses provided on hard copy consultation questionnaires were entered into SurveyMonkey by the researcher.

e. Open-ended questions and text analysis

The written responses to open-ended questions and written submissions (including letters, emails, and hard copy survey responses) were analysed using a qualitative analytical method.

⁷ Neuman, W. L. (2006). *Social Research Methods, Qualitative and Quantitative Approaches*, p. 20.

The approach of a qualitative method is to ‘focus on learning the meaning that the participants hold about the problem or issue ...’.⁸ It is driven by *what is said* in the written submissions and not by the views of the researcher⁹ or the commissioning agency.

Qualitative analysis is also a form of interpretative inquiry whereby the researcher interprets the written submissions to develop themes. This process is known as ‘thematic analysis’ and is a way of organising text into categories or themes ‘to present a coherent, consistent picture’.^{10 11}

The unit of analysis was the complete set of written comments (to all the questions) contained in an individual submission. This provided for the identification of a cohesive set of themes across all questions¹², and was a pragmatic way of analysing a large quantity of qualitative data.

Note that the analysis of submissions, and the reported findings, are solely the work of the author. The researcher was employed by the Management Agency to provide research and policy services. Separate from the research analysis presented in this report, submissions were independently read and considered by the Management Agency.

⁸ Creswell, J. (2009). *Research Design, Qualitative, Quantitative, and Mixed Methods Approaches*, p. 175.

⁹ Qualitative research is also a form of interpretative inquiry in which the researcher makes an interpretation of what is meant by the submitter.

¹⁰ Neuman, W. L. (2006). *Social Research Methods, Qualitative and Quantitative Approaches*, p. 157.

¹¹ Thematic analysis involves segmenting text into categories and labelling them with a descriptive term (referred to as coding). In this way a growing list of categories is developed, and similar categories are grouped together as themes. The categories and themes are not predetermined by the researcher but created from the bottom up ‘working back and forth between the themes and the database’ until a set of themes has been established (Creswell, J., 2009, *Research Design, Qualitative, Quantitative, and Mixed Methods Approaches*, p. 175). This process of identifying categories and themes as the researcher works through the data is a form of inductive data analysis.

¹² Analysis by each question would have created repetitive and fragmented themes. For instance, a submitter may restate or develop their view further in response to other questions, and/or refer to their responses to other questions. A submitter may also raise issues under one question that other submitters may have raised under a different question.

3. Number of submissions and responses by question

a. Number of submissions

There were 289 submissions in the Round Three Consultation.

- 280 were made using the consultation questionnaire (referred to as ‘questionnaire submissions’). Of these, 271 were made online and nine were hard copy sent through email or the regular post. Hard copy responses were entered into SurveyMonkey by the researcher.
- 11 were provided as an email or letter (referred to as ‘letter submissions’). Two of these submitters also made a questionnaire submission.

The number of submissions received for Round Three was lower than the numbers received for Rounds One (437) and Two (343) as shown on Table 1.

b. Number of hives owned

Sixty-five percent of submitters making questionnaire submissions owned fewer than 11 hives. This is lower than the national percentage where 80% of all beekeepers own fewer than 11 hives.

By contrast, 17% of submitters making questionnaire submissions owned more than 250 hives. This is higher than the national percentage where 4% of all beekeepers own more than 250 hives.

An overview table showing the submission numbers for each consultation round, by number of hives owned, is shown in Table 1 below.

Table 1: Number and percentage of submitters, and number and percentage of beekeepers nationally, by number of hives owned.

	Round 1		Round 2		Round 3		Colonies nationally	Beekeepers nationally	Beekeepers nationally
Number of hives	number submitters	% submitters	number submitters	% submitters	number submitters	% submitters	number	number	%
0–5	223	52%	181	54%	151	55%	13,346	6,959	71%
6–10	53	12%	53	16%	28	10%	6,090	790	9%
11–50	55	13%	40	12%	26	9%	23,158	979	10%
51–250	33	8%	25	7%	18	7%	67,559	584	6%
251–500	23	5%	13	4%	16	6%	74,157	208	2%
501–1000	11	3%	8	2%	15	5%	95,505	133	1%
1001 plus	21	5%	12	4%	17	6%	446,486	143	1%
not applicable	8	2%	3	1%	6	2%			
not provided	4	1%	0	17	3	17			
Questionnaire submissions	429 ¹³	-	335*	-	280*	-			
emails & letters ¹⁴	8	-	7	-	9	-			
TOTAL	437	100%**	342	100%**	289	100%**	726,298	9796	100%**

*Questionnaire submissions (include online and hard copy).

** Percentages rounded.

Source: national figures taken from 'NZ beekeeper, apiary, and colony statistics by regional council as of 9 September 2022'.

c. Submitter characteristics

Submitters were invited to consider a range of categories and select any that applied to them.¹⁵

Submitters were able to select one or more categories. The largest group of submitters were DECA holders as shown in Table 2 below.

¹³ Note 429 questionnaire submissions were entered on SurveyMonkey, however the column sum is 431. This is attributed to a small number of submitters selecting more than one category in response to the consultation question on hive ownership.

¹⁴ Note this is the number of submitters who sent a written submission only (including as a letter or email) and didn't complete an online submission. A small number provided both an online submission and a separate written submission and these numbers are not included in this table to avoid double counting.

¹⁵ Note that some submitters selected more than one category and that a small number of submitters skipped this question.

Table 2: Number of submitters by cohort (questionnaire submissions only).

Cohort	Number submitters
DECA holder	196
Non-DECA holder	67
Other	28
Employee beekeeper	18
Māori business	7
Diagnostic Laboratory	1
Peak Industry Body	1

For questionnaire submitters who chose the ‘other’ category, some specified sub-categories. These included hobbyist, small commercial/family beekeeping business, honeybee scientist, tutor, and inspector.

For Māori businesses, five of the seven submitters owned 251 or more hives. Two of these owned 1001 or more hives.

For the 18 questionnaire submitters selecting ‘employee’, 17 owned hives. Seven owned 50 or fewer hives, four owned between 51-1000 hives, and six owned 1001 or more hives.¹⁶

d. Number of responses to questions in the consultation questionnaire

Most questionnaire submitters responded to all the close-ended questions. Comparatively, the number of responders to the open-ended questions was lower (consultation questions 13, 19, 22, 23), as shown in Table 3 below.

¹⁶ A high number of these submitters were large hive owners, suggesting some may have misinterpreted this category to be ‘employer’ rather than ‘employee’. At the same time, hive owners may have employee roles in their industry, and some may also view themselves as employees.

Table 3: Number of responses by question, for submitters who completed consultation questionnaire.

(Note: open-ended questions shaded for easy reference.)

Consultation questions	number responses
1. Tick categories that apply to you	274
2. If you are a beekeeper, how many hives do you own?	277
3. We are proposing that new beekeepers can apply for a registration number before registering their first apiary. Do you agree?	276
4. We are proposing that DECA holders ensure their employee beekeepers have passed a recognised course in AFB recognition within 6 months of their employment if they haven't passed a course prior to employment. Do you agree?	276
5. We are proposing that DECA holders ensure their employee beekeepers attend a recognised AFB Refresher Course once every 5 years. Do you agree?	275
6. We are proposing that DECA holders are required to keep a record of their employee beekeeper dates of employment and AFB training records for 2 years, and to provide these records to the Management Agency if requested. Do you agree?	276
7. We are proposing that any DECA holder who does not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled. Do you agree?	277
8. We are proposing that any DECA holder who does not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled. Do you agree?	276
9. We are proposing that any DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect. Do you agree?	277
10. We are proposing that diagnostic laboratories are required to provide the Management Agency with all AFB testing results and contact details for the submitter and beekeeper. Do you agree?	277
11. We are proposing that beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place. Do you agree?	274
12. We are proposing that beekeepers are required to provide beekeeper registration numbers when recording beehive transfers (sales and purchases) as part of the Annual Disease Return. Do you agree?	274
13. Do you have any comments about any of the proposed amendments or new rules above? (open-ended question)	151
14. We are proposing that a breach of the rule 'Prohibition on keeping bees in a place other than an apiary' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree?	273
15. We are proposing that a breach of the rule 'Obligation to keep honeybees in moveable frame hives' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree?	274
16. We are proposing that a breach of the rule 'Certificate of Inspection (COI)' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree?	275
17. We are proposing that a breach of the rule 'Annual Disease Return' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree?	273
18. We are proposing that a breach of the rule 'Obligation of beekeeper to destroy honeybees and materials' is an offence. Do you agree?	274
19. Do you have any comments about proposed changes to offences? (open-ended question)	144

20. We are proposing that authorised persons have the power to destroy AFB infected beehives and take actions to prevent the spread of AFB. Do you agree?	275
21. We are proposing that authorised persons have the power to use detector dogs to find AFB if the scientific community confirm that detector dogs are effective. Do you agree?	275
22. Do you have any comments about the two new powers being proposed? (open-ended question)	140
23. Do you have any comments or feedback on the existing AFB PMP or any other comments on the proposed changes? (open-ended question).	128

4. Findings

This section presents the findings of the submission analysis as follows.

- Overview of preferences for each of the proposed changes.
- Preferences for each of the proposed amended and new rules (Consultation Questions 3–13).
- Key themes on proposed training requirements and provision of laboratory results, and proposed requirements for beehive transfers.
- Preferences for each of the proposed offences and penalties (Consultation Questions 14–19).
- Key themes on proposed offences and penalties.
- Preferences for the proposed powers to implement the AFB Plan (Consultation Questions 20–22).
- Key themes on proposed new powers.
- Key themes on overarching views, management structure, and review process.

a. Overview of preferences for each of the proposed changes

Preferences aggregated

For the 280 questionnaire submissions, each of the proposed changes was supported by at least 56% of these submitters overall. At least 272 of questionnaire submitters answered each question.¹⁷ The proposed changes are listed in Table 4 below and ranked in order from those that received the most agreement (shaded in green), to those that received the least agreement (shaded in orange).

Table 4: Number of questionnaire submissions that agreed and disagreed with the proposed changes, listed in rank order from highest to lowest agreement.

Consultation questions	Agreed/ Strongly agree	Disagreed/ Strongly disagree	Neither agree or disagree
We are proposing that DECA holders ensure their employee beekeepers have passed a recognised course in AFB recognition within 6 months of their employment if they haven't passed a course prior to employment. Do you agree? (Consultation Question 4)	84% (n=232)	12% (n=33)	4% (n=11)
We are proposing that authorised persons have the power to destroy AFB infected beehives and take actions to prevent the spread of AFB. Do you agree? (Consultation Question 20)	83% (n=229)	11% (n=31)	5% (n=15)
We are proposing that new beekeepers can apply for a registration number before registering their first apiary. Do you agree? (Consultation Question 3)	83% (n=229)	6% (n=16)	11% (n=31)
We are proposing that beekeepers are required to provide beekeeper registration numbers when recording beehive transfers (sales and purchases) as part of the Annual Disease Return. Do you agree? (Consultation Question 12)	82% (n=224)	8% (n=23)	10% (n=27)

¹⁷ The number of responses to each question varied from 272-277.

We are proposing that authorised persons have the power to use detector dogs to find AFB if the scientific community confirm that detector dogs are effective. Do you agree? (Consultation Question 21)	78% (n=215)	12% (n=33)	10% (n=27)
We are proposing that a breach of the rule 'Obligation of beekeeper to destroy honeybees and materials' is an offence. Do you agree? (Consultation Question 18)	77% (n=211)	11% (n=29)	12% (n=34)
We are proposing that DECA holders ensure their employee beekeepers attend a recognised AFB Refresher Course once every 5 years. Do you agree? (Consultation Question 5)	76% (n=209)	13% (n=36)	11% (n=30)
We are proposing that beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place. Do you agree? (Consultation Question 11)	73% (n=200)	15% (n=40)	12% (n=34)
We are proposing that DECA holders are required to keep a record of their employee beekeeper dates of employment and AFB training records for 2 years, and to provide these records to the Management Agency if requested. Do you agree? (Consultation Question 6)	72% (n=198)	14% (n=39)	14% (n=39)
We are proposing that any DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect. Do you agree? (Consultation Question 9)	71% (n=196)	16% (n=44)	13% (n=37)
We are proposing that diagnostic laboratories are required to provide the Management Agency with all AFB testing results and contact details for the submitter and beekeeper. Do you agree? (Consultation Question 10)	71% (n=196)	20% (n=56)	9% (n=25)
We are proposing that a breach of the rule 'Obligation to keep honeybees in moveable frame hives will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 15)	65% (n=177)	22% (n=59)	14% (n=38)
We are proposing that any DECA holder who does not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled. Do you agree? (Consultation Question 8)	60% (n=164)	24% (n=66)	17% (n=46)
We are proposing that a breach of the rule 'Prohibition on keeping bees in a place other than an apiary' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 14)	60% (n=162)	26% (n=72)	14% (n=38)
We are proposing that a breach of the rule 'Certificate of Inspection (COI)' will be subject to an infringement fine of \$400 for an individual or \$800 for a corporation. Do you agree? (Consultation Question 16)	59% (n=162)	25% (n=68)	16% (n=45)
We are proposing that a breach of the rule 'Annual Disease Return' will be subject to an infringement fine of \$200 for an individual or \$400 for a corporation. Do you agree? (Consultation Question 17)	57% (n=156)	25% (n=69)	18% (n=48)
We are proposing that any DECA holder who does not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled. Do you agree? (Consultation Question 7)	56% (n=156)	27% (n=76)	16% (n=45)

Preferences by number of hives owned

There were marked differences in the levels of agreement for some of the proposed changes by the number of hives owned as shown in Table 5 below.

Over 50% of submitters owning 1–50 hives supported every proposed change.

For owners of 51–250 hives, there was less than 50% agreement for:

- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
- infringement fines for breach of Rule ‘Prohibition on keeping bees in a place other than an apiary’ (Consultation Question 14).

For owners of 251–500 hives, there was less than 50% agreement for:

- new ground for cancelling a DECA, that is for not completing AFB Refresher every five years (Consultation Question 7).

For owners of 501-1000 hives, there was less than 50% agreement for:

- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
- new DECA holder responsibility to keep a record of their employee beekeeper dates of employment (Consultation Question 6)
- provision of two years to comply with new training requirements when the new AFB PMP takes effect (Consultation Question 9)
- requirement for diagnostic laboratories to provide AFB test results to the Management Agency (Consultation Question 10)
- infringement fine for breach of Rule ‘Certificate of Inspection’ (Consultation Question 16).

For owners of 1000 or more hives, there was less than 50% agreement for:

- two new grounds for cancelling a DECA, these being for not completing AFB Refresher every five years, and for not ensuring employee beekeepers meet new training requirements (Consultation Questions 7 and 8)
- new DECA holder responsibility to ensure employees have passed a course in AFB recognition, and attend an AFB Refresher course every five years (Consultation Questions 4 and 5)

- new DECA holder responsibility to keep a record of their employee beekeeper dates of employment (Consultation Question 6)
- requirement for diagnostic laboratories to provide AFB test results to the Management Agency (Consultation Question 10)
- infringement fines for breach of two Rules ‘Prohibition on keeping bees in a place other than an apiary’ and ‘Annual Disease Return’ (Consultation Questions 14 and 17)
- new Power for Authorised persons to use detector dogs to find AFB (Consultation Question 21).

A summary of the level of agreement for each of the proposed changes by number of hives owned is shown in Table 5 below. The level of agreement is calculated by combining the number of submitters that agreed or strongly agreed with each proposal. For easy reference, where the level of agreement for the proposal was 50% or less, the cell is shaded light orange. Table 5 includes bracketed numbers showing the number of questionnaire submitters who agreed.

A full breakdown of the levels of agreement for each proposed change is shown in detailed tables (Tables 7–37) provided in this report.

Table 5: Level of agreement with each proposed change by number of hives owned, for questionnaire submissions.¹⁸

Consultation questions	1–5 hives	6–10 hives	11–50 hives	51–250 hives	251–500 hives	501–1000 hives	1000 + hives
Q3. New beekeepers can apply for a registration number before registering their first apiary.	83% (n=124)	93% (n=26)	92% (n=24)	76% (n=13)	75% (n=12)	93% (n=14)	65% (n=11)
Q4. DECA holders ensure employee beekeepers have passed a recognised course in AFB recognition.	89% (n=134)	93% (n=26)	88% (n=23)	88% (n=15)	81% (n=13)	53% (n=8)	47% (n=8)
Q5. DECA holders ensure employee beekeepers attend a recognised AFB Refresher Course once every 5 years.	84% (n=125)	86% (n=24)	77% (n=20)	76% (n=13)	50% (n=8)	53% (n=8)	41% (n=7)
Q6. DECA holders are required to keep a record of their employee beekeeper dates of employment and AFB training records.	80% (n=120)	86% (n=24)	77% (n=20)	53% (n=9)	56% (n=9)	20% (n=3)	47% (n=8)
Q7. DECA holders who do not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled.	60% (n=90)	86% (n=24)	73% (n=19)	41% (n=7)	31% (n=5)	27% (n=4)	29% (n=5)
Q8. DECA holders who do not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled.	65% (n=98)	75% (n=21)	65% (n=17)	44% (n=7)	50% (n=88)	33% (n=5)	29% (n=5)
Q9. DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect.	74% (n=112)	82% (n=23)	77% (n=20)	76% (n=13)	50% (n=8)	47% (n=7)	53% (n=9)
Q10. Diagnostic laboratories provide the Management Agency with AFB testing results and contact details.	79% (n=119)	75% (n=21)	77% (n=20)	65% (n=11)	50% (n=8)	40% (n=6)	41% (n=7)
Q11. Beekeepers notify the Management Agency of beehive transfers within 14 days of the transfer taking place.	74% (n=110)	79% (n=22)	77% (n=20)	65% (n=11)	56% (n=9)	71% (n=10)	71% (n=12)
Q12. Beekeepers provide beekeeper registration numbers	83%	86%	92%	76%	67%	85%	65%

¹⁸ This table has been generated by combining the responses to Consultation Question 2 ('how many hives do you own?') and responses to Questions 3-12, and 14-18, and 20-21 respectively. As such, the count of submitters may be slightly lower from those shown in Table 4, as it excludes those who either skipped, or selected 'non-applicable', in response to Question 2.

when recording beehive transfers as part of the Annual Disease Return.	(n=126)	(n=24)	(n=24)	(n=13)	(n=10)	(n=11)	(n=11)
Q14. Breaching rule 'Prohibition on keeping bees in a place other than an apiary' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	64% (n=94)	64% (n=18)	73% (n=19)	29% (n=5)	56% (n=9)	57% (n=8)	35% (n=6)
Q15. Breaching rule 'Obligation to keep honeybees in moveable frame hives' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	64% (n=95)	71% (n=20)	77% (n=20)	59% (n=10)	69% (n=11)	60% (n=9)	53% (n=9)
Q16. Breaching rule 'Certificate of Inspection (COI)' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	57% (n=85)	68% (n=19)	69% (n=18)	65% (n=11)	69% (n=11)	47% (n=7)	53% (n=9)
Q17. Breaching rule 'Annual Disease Return' will be subject to an infringement fine of \$400 (individual) or \$800 (corporation).	54% (n=80)	75% (n=21)	69% (n=18)	53% (n=9)	69% (n=11)	50% (n=7)	41% (n=7)
Q18. Breaching rule 'Obligation of beekeeper to destroy honeybees and materials' is an offence. Do you agree?	78% (n=116)	89% (n=25)	81% (n=21)	76% (n=13)	69% (n=11)	67% (n=10)	65% (n=11)
Q20. Authorised persons have the power to destroy AFB infected beehives.	87% (n=129)	93% (n=26)	92% (n=24)	94% (n=16)	56% (n=9)	73% (n=11)	59% (n=10)
Q21. Authorised persons have the power to use detector dogs to find AFB.	87% (n=129)	86% (n=24)	69% (n=18)	71% (n=12)	56% (n=9)	66% (n=10)	47% (n=8)

Preferences by submitter characteristics - DECA holders, non-DECA holders, and Māori businesses

Submitters were invited to consider a range of categories and select any that applied to them, and the findings are shown in Table 2 in this report.¹⁹ The largest group of submitters were DECA holders (196), followed by non-DECA holders (67), 'other' (28), employee beekeepers (18), and Māori businesses (7). This section reports on the preferences expressed by DECA holders, non-DECA holders, and Māori businesses.²⁰

At least 52% of questionnaire submitters in each of these three categories, agreed with the proposed changes, as shown on Table 6 below.

For DECA holders

The lowest level of agreement was 52% for the proposal that:

- DECA holders who do not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled (Question 7). This compares with overall agreement of 56% from all questionnaire submitters²¹.

The highest level of agreement was 84% agreement for the proposal that:

- Authorised Persons have the power to destroy AFB infected beehives (Question 20). This compares with overall 83% agreement from all questionnaire submitters.

For non-DECA holders

The lowest level of agreement was 55% for two proposals:

- breaching rule 'Certificate of Inspection (COI)' is subject to an infringement fine of \$400 (individual) or \$800 (corporation)' (Question 16). This compares with overall 59% agreement from all questionnaire submitters.
- breaching rule 'Annual Disease Return' will be subject to an infringement fine of \$400 (individual) or \$800 (corporation)' (Question 17). This compares with overall 57% agreement from all questionnaire submitters.

The highest level of agreement was 92% agreement for the proposal that 'DECA holders ensure employee beekeepers have passed a recognised course in AFB recognition' (Question 4). This compares with overall 84% agreement from all questionnaire submitters.

¹⁹ Note that some submitters selected more than one category and that a small number of submitters skipped this question.

²⁰ The category 'employee' is not reported as it is a mixed group, including hive owners and employees, making it difficult to accurately interpret findings (refer Section 3c in this report).

²¹ Refer Table 4, Section 4a in this report for overall preferences.

For Māori businesses

The lowest level of agreement was 57% for three proposals:

- DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect (Question 9).²² This compares with overall 71% agreement from all questionnaire submitters.²³
- breaching rule 'Prohibition on keeping bees in a place other than an apiary' is subject to an infringement fine of \$400 (individual) or \$800 (corporation) (Question 14).²⁴ This compares with overall 60% agreement from all questionnaire submitters.
- breaching rule 'Obligation to keep honeybees in moveable frame hives' is subject to an infringement fine of \$400 (individual) or \$800 (corporation) (Question 15).²⁵ This compares with overall 65% agreement from all questionnaire submitters.

The highest level of agreement was 100% for two proposals:

- new beekeepers can apply for a registration number before registering their first apiary (Question 3). This compares with overall 83% agreement from all questionnaire submitters.
- beekeepers provide beekeeper registration numbers when recording beehive transfers as part of the Annual Disease Return (Question 12). This compares with overall 82% agreement from all questionnaire submitters.

Overall, compared with the combined preferences of all questionnaire submitters²⁶, Māori businesses expressed higher or similar levels of agreement for each of the proposed changes. There were two proposals where the Māori level of agreement was slightly below the combined level of agreement, these being that DECA holders have two years to comply with the new AFB training requirements and breaching the rule 'Obligation to keep honeybees in moveable frame hives' is subject to a fine.²⁷

A summary of the level of agreement for each of the proposed changes by DECA holders, non-DECA holders, and Māori businesses is shown in Table 6 below. The level of agreement is calculated by combining the numbers of submitters that agreed or strongly agreed with each proposal.

²² Note for Question 9, for Māori businesses, there was a range of views: 1 strongly agreed, 3 agreed, 2 neither agreed or disagreed, and 1 strongly disagreed.

²³ Refer Table 4, Section 4a in this report for overall preferences.

²⁴ Note for Question 14, for Māori businesses, there was a range of views: 1 strongly agreed, 3 agreed, 1 disagreed, 2 strongly disagreed.

²⁵ Note for Question 15, for Māori businesses, there was a range of views: 1 strongly agreed, 3 agreed, 1 neither agreed or disagreed, and 2 strongly disagreed.

²⁶ See Table 4 showing aggregated preferences for all questionnaire submitters.

²⁷ Overall, 71% of questionnaire submitters, and 57% (n=4) of Māori submitters, agreed that DECA holders have two years to comply with the new AFB training requirements, and 65% of questionnaire submitters and 57% (n=4) of Māori submitters agreed that breaching the rule 'Obligation to keep honeybees in moveable frame hives' is subject to a fine.

Table 6 includes bracketed numbers showing the number of submitters who agreed out of the total number of submitters in each category who answered this question.

Table 6: Percentage and number of questionnaire submissions that agreed and disagreed with the proposed changes, by DECA and non-DECA holders, and Māori businesses.

Consultation questions	DECA holder	Non-DECA holder	Māori Business
Q3. New beekeepers can apply for a registration number before registering their first apiary.	68% (165/194)	82% (55/67)	100% (7/7)
Q4. DECA holders ensure employee beekeepers have passed a recognised course in AFB recognition.	83% (162/195)	92% (61/66)	86% (6/7)
Q5. DECA holders ensure employee beekeepers attend a recognised AFB Refresher Course once every 5 years.	72% (139/193)	91% (61/67)	71% (5/7)
Q6. DECA holders are required to keep a record of their employee beekeeper dates of employment and AFB training records.	68% (133/195)	83% (55/66)	86% (6/7)
Q7. DECA holders who do not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled.	52% (102/195)	73% (49/67)	71% (5/7)
Q8. DECA holders who do not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled.	56% (109/194)	72% (48/67)	71% (5/7)
Q9. DECA holders have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect.	69% (134/195)	79% (53/67)	57% (4/7)
Q10. Diagnostic laboratories provide the Management Agency with AFB testing results and contact details.	68% (132/195)	81% (54/67)	71% (5/7)
Q11. Beekeepers notify the Management Agency of beehive transfers within 14 days of the transfer taking place.	71% (137/193)	79% (52/66)	83% (5/6)
Q12. Beekeepers provide beekeeper registration numbers when recording beehive transfers as part of the Annual Disease Return.	81% (157/193)	86% (57/66)	100% (6/6)
Q14. Breaching rule 'Prohibition on keeping bees in a place other than an apiary' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	59% (113/191)	64% (43/67)	57% (4/7)
Q15. Breaching rule 'Obligation to keep honeybees in moveable frame hives' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	66% (127/193)	65% (43/66)	57% (4/7)
Q16. Breaching rule 'Certificate of Inspection (COI)' is subject to an infringement fine of \$400 (individual) or \$800 (corporation).	62% (120/194)	55% (36/66)	71% (5/7)

Q17. Breaching rule 'Annual Disease Return' will be subject to an infringement fine of \$400 (individual) or \$800 (corporation).	59% (114/193)	55% (36/65)	67% (4/6)
Q18. Breaching rule 'Obligation of beekeeper to destroy honeybees and materials' is an offence. Do you agree?	78% (150/193)	82% (54/66)	71% (5/7)
Q20. Authorised persons have the power to destroy AFB infected beehives.	84% (162/194)	86% (57/66)	86% (6/7)
Q21. Authorised persons have the power to use detector dogs to find AFB.	77% (150/194)	85% (56/66)	72% (5/7)

b. Preferences for proposed amended rules and new rules (questions 3–13)

There were ten consultation questions (questions 3–13) relating to proposals for three amendments to existing rules and four new rules to strengthen the AFB Plan Principal Measures. The proposed new rules were about training requirements, laboratories to provide AFB results, and beehive ownership transfers. A brief explanation of each proposal and the response to each proposal is shown under each question.

Question 3. Responses to proposed Rule amendment that ‘new beekeepers can apply for a registration number before registering their first apiary’.

This proposal is an amendment to an existing Rule ‘Allocation of identification code’ to allow a person to get a beekeeper registration number before registering an apiary.

Preferences aggregated

Overall, 83% of submitters agreed or strongly agreed with the proposed change as shown in Table 7 below). For Māori business submitters, 100% (7) supported this change.

Table 7. Responses to proposal that new beekeepers apply for a registration number before registering their first apiary.

Answer choices	Number of answers	% Answers*
Strongly agree	108	39%
Agree	121	44%
Neither agree nor disagree	31	11%
Disagree	11	4%
Strongly disagree	5	2%
TOTAL	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a high level of agreement to this proposed change across all hive ownership size cohorts, as shown in Table 8 below. The level of agreement ranged from over 90% agreement from submitters with 6–50 hives, to 65% agreement from submitters with 1001 or more hives.

Table 8: Responses to proposal that new beekeepers apply for a registration number before registering their first apiary, by number of hives owned.

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	55	37%	69	46%	20	13%	6	4%	0	-	150	100%
6–10 hives	14	50%	12	43%	0	-	1	4%	1	4%	28	100%
11–50 hives	14	54%	10	38%	1	4%	0	-	1	4%	26	100%
51–250 hives	6	35%	7	41%	3	18%	0	-	1	6%	17	100%
251–500 hives	6	38%	6	38%	1	6%	1	6%	2	13%	16	100%
501–1000 hives	8	53%	6	40%	1	7%	0	-	0	-	15	100%
1001 hives +	4	24%	7	41%	4	24%	2	12%	0	-	17	100%
Not applicable	1	17%	3	50%	1	17%	1	17%	0	-	6	100%
TOTAL	108	39%	120	44%	31	11%	11	4%	5	2%	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Question 4. Responses to proposed new rule that ‘DECA holders ensure their employee beekeepers have passed a recognised course in AFB recognition within 6 months of their employment if they haven’t passed a course prior to employment’.

Question 4 is one of three new proposed rules to require employee beekeeper training. It is intended to help eliminate AFB from commercial beekeeping.

Preferences aggregated

Overall, 84% of submitters agreed or strongly agreed with the proposed change as shown in Table 9 below. For Māori business submitters, 86% (6) supported this proposed change.

Table 9. Responses to proposal that DECA holders ensure employee beekeepers have passed an AFB recognition course within 6 months of employment.

Answer choices	Number of answers	% Answers*
Strongly agree	119	43%
Agree	113	41%
Neither agree or disagree	11	4%
Disagree	16	6%
Strongly disagree	17	6%
TOTAL	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 10 below.

For submitters who owned 1001 or more hives, there was a divided view about the proposed change. Amongst this group, half (8 submitters) agreed with the proposed change and half disagreed (8 submitters).

For submitters who owned 501–1000 hives, a small majority (53%) agreed with the proposed change (8 submitters) while 40% (6 submitters) disagreed or strongly disagreed with the change.

Comparatively, the highest level of agreement for this proposed change was 89% for submitters who owned 1–5 hives.

Table 10. Responses to proposal that DECA holders ensure employee beekeepers have passed an AFB recognition course within 6 months of employment, by number of hives owned.²⁸

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	67	45%	67	45%	6	4%	5	3%	5	3%	150	100%
6–10 hives	18	64%	8	29%	0	0%	2	7%	0	0	28	100%
11–50 hives	13	50%	10	38%	1	4%	2	8%	0	0	26	100%
51–250 hives	9	53%	6	35%	1	6%	1	6%	0	0	17	100%
251–500 hives	6	38%	7	44%	0	0%	2	13%	1	6%	16	100%
501–1000 hives	2	13%	6	40%	1	7%	3	20%	3	20%	15	100%
1001 hives +	3	18%	5	29%	1	6%	1	6%	7	41%	17	100%
Not applicable	1	17	3	50	1	17	0	0	1	17	6	100%
TOTAL	119	43%	112	41%	11	4%	16	6%	17	6%	275	100%

* Percentages have been rounded so may not exactly add up to 100%.

²⁸ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 4. As such, the count of submitters is slightly lower from those shown in Table 9, as there were skips to Question 2.

Question 5. Responses to proposed new rule 'that DECA holders ensure their employee beekeepers attend a recognised AFB Refresher Course once every 5 years'.

Preferences aggregated

Overall, 76% of submitters agreed or strongly agreed with the proposed change as shown in Table 11 below). For Māori business submitters, 71% (5) supported this change.

Table 11. Responses to proposal that DECA holders ensure their employee beekeepers attend a recognised AFB Refresher Course once every five years.

Answer choices	Number of answers	% Answers *
Strongly agree	105	38%
Agree	104	38%
Neither agree nor disagree	30	11%
Disagree	16	6%
Strongly disagree	20	7%
TOTAL	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 12 below.

For submitters who owned 1001 or more hives, only 41% (7 submitters) agreed with the proposed change and 47% disagreed (8 submitters).

For submitters who owned 501–1000 hives, a small majority (53%) agreed with the proposed change (8 submitters) and 33% (5 submitters) disagreed.

For submitters who owned 251–500 or more hives, half agreed with the proposed change (8 submitters) and 31% disagreed (5 submitters).

The highest level of agreement for this proposed change was 84% for submitters who owned 1–5 hives.

Table 12. Responses to proposal that DECA holders ensure their employee beekeepers have passed a recognised course in AFB recognition within 6 months of their employment, by number of hives owned. ²⁹

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	60	40%	65	44%	15	10%	4	3%	5	3%	149	100%
6–10 hives	17	61%	7	25%	3	11%	1	4%	0	-	28	100%
11–50 hives	13	50%	7	27%	1	4%	4	15%	1	4%	26	100%
51–250 hives	6	35%	7	41%	3	18%	1	6%	0	-	17	100%
251–500 hives	5	31%	3	19%	3	19%	2	12%	3	19%	16	100%
501–1000 hives	1	7%	7	47%	2	13%	3	20%	2	13%	15	100%
1001 hives +	2	12%	5	29%	2	12%	1	6%	7	41%	17	100%
Not applicable	1	17%	3	50%	0	0	0	0	2	33%	6	100%
TOTAL	105	39%	104	38%	29	11%	16	6%	20	7%	274	100%

* Percentages have been rounded up so totals may not exactly add up to 100%.

²⁹ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 5. As such, the count of submitters is slightly lower from those shown in Table 11, as there were skips to Question 2.

Question 6. Responses to proposed new rule 'that DECA holders are required to keep a record of employee beekeeper employment dates and AFB training records for two years, and to provide these records to the Management Agency if requested'.

Preferences aggregated

Overall, 72% of submitters agreed or strongly agreed with the proposed change as shown in Table 13 below). For Māori business submitters, 86% (6) supported this change.

Table 13. Responses to proposal for DECA holders to record employee beekeeper employment dates and AFB training records to provide to the Management Agency if requested.

Answer choices	Number of answers	% Answers *
Strongly agree	88	32%
Agree	110	40%
Neither agree or disagree	39	14%
Disagree	20	7%
Strongly disagree	19	7%
TOTAL	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 14 below.

For submitters who owned 1001 or more hives, only 47% (8 submitters) agreed with the proposed change. Just over 50% disagreed (9 submitters).

For submitters who owned 501–1000 hives, only 20% agreed with the proposed change (3 submitters) and 47% (7 submitters) disagreed. A further 33% (5 submitters) neither agreed nor disagreed.

For submitters who owned 251–500 or more hives, a small majority of 56% (9 submitters) agreed with the proposed change and 31% disagreed (5 submitters). A further 12% (2 submitters) neither agreed nor disagreed.

For submitters who owned 51–250 hives, a small majority of 53% (9 submitters) agreed with the proposed change and 18% disagreed (3 submitters). However, nearly 30% (5 submitters) neither agreed nor disagreed.

Comparatively, the highest level of agreement for this proposed change was 86% for submitters who owned 6–10 hives, and 80% for submitters who owned 1–5 hives.

Table 14. Responses to proposal for DECA holders to record employee beekeeper employment dates and AFB training records to provide to the Management Agency if requested, by number of hives owned.³⁰

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	54	36%	66	44%	19	13%	6	4%	5	3%	150	100%
6–10 hives	13	46%	11	39%	2	7%	2	7%	0	-	28	100%
11–50 hives	9	35%	11	42%	4	15%	2	8%	0	-	26	100%
51–250 hives	4	24%	5	29%	5	29%	3	18%	0	-	17	100%
251–500 hives	4	25%	5	31%	2	12%	1	6%	4	25%	16	100%
501–1000 hives	0	-	3	20%	5	33%	3	20%	4	27%	15	100%
1001 hives +	2	12%	6	35%	0	-	3	18%	6	35%	17	100%
Not Applicable	2	33%	3	50%	1	17%	0	-	0	-	6	100%
TOTAL	88	32%	110	40%	38	14%	20	7%	19	7%	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³⁰ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 6. As such, the count of submitters is slightly lower from those shown in Table 13, as there were skips to Question 2.

Question 7. Responses to proposed Rule amendment ‘that any DECA holder who does not complete a recognised AFB Refresher course every 5 years may have their DECA cancelled’.

Questions 7 and 8 sought beekeeper preferences about two proposed amendments to an existing Rule ‘Review of Certificate of Inspection Exemption’. This Rule sets out the grounds for cancelling a DECA and it is proposed that two new grounds are specified to strengthen the Principal Measure 1: All beehive locations are notified as an apiary.

Preferences aggregated

Overall, 57% of submitters agreed or strongly agreed with the proposed change as shown in Table 15 below. For Māori business submitters, 71% (5) supported this change.

Table 15. Responses to proposal that any DECA holder who does not complete an AFB Refresher course every 5 years may have their DECA cancelled.

Answer choices	Number of answers	% Answers *
Strongly agree	67	24%
Agree	89	32%
Neither agree or disagree	45	16%
Disagree	40	14%
Strongly disagree	35	13%
TOTAL	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 16 below.

For submitters who owned 1001 or more hives, 59% (10 submitters) disagreed with the proposed change. Less than 30% agreed (5 submitters) and a further 12% (2 submitters) neither agreed nor disagreed.

For submitters who owned 501–1000 hives, over 70% disagreed (11 submitters) with the proposed change. Only 27% agreed (4 submitters).

For submitters who owned 251–500 hives, 63% disagreed (10 submitters) with the proposed change. Only 31% (5 submitters) agreed with the proposed change.

For submitters who owned 51–250 hives, 42% agreed (7 submitters) and 35% disagreed (6 submitters) with the proposed change). A further, 24% (4 submitters) neither agreed nor disagreed.

Comparatively, the highest levels of agreement for this proposed change is 60% amongst submitters owning 1–5 hives, 86% amongst submitters owning 6–10 hives, and 73% amongst submitters owning 11–50 hives.

Table 16. Responses to proposal that any DECA holder who does not complete an AFB Refresher course every 5 years may have their DECA cancelled, by number of hives owned.

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	36	24%	54	36%	32	21%	19	13%	10	7%	151	100%
6–10 hives	13	46%	11	39%	1	4%	2	7%	1	4%	28	100%
11–50 hives	9	35%	10	38%	2	8%	3	12%	2	8%	26	100%
51–250 hives	3	18%	4	24%	4	24%	6	35%	0	-	17	100%
251–500 hives	3	19%	2	12%	1	6%	3	19%	7	44%	16	100%
501–1000 hives	0	-	4	27%	0	-	5	33%	6	40%	15	100%
1001 hives +	2	12%	3	18%	2	12%	2	12%	8	47%	17	100%
Not Applicable	1	17%	1	17%	3	50%	0	-	1	17%	6	100%
TOTAL	67	24%	89	32%	45	16%	40	14%	35	3%	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Question 8. Responses to proposed Rule amendment ‘that any DECA holder who does not ensure their employee beekeepers meet the new training requirements may have their DECA cancelled’.

Preferences aggregated

Overall, 60% of submitters agreed or strongly agreed with the proposed change as shown in Table 17 below). For Māori business submitters, 71% (5) supported this change.

Table 17. Responses to proposal that any DECA holder who does not ensure employee beekeepers meet new training requirements may have their DECA cancelled, by number of hives owned.

Answer choices	Number of answers	% Answers *
Strongly agree	76	28%
Agree	88	32%
Neither agree nor disagree	46	17%
Disagree	33	12%
Strongly disagree	33	12%
TOTAL	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 18 below.

For submitters who owned 1001 or more hives, 65% (11 submitters) disagreed with the proposed change. Thirty percent agreed (5 submitters).

For submitters who owned 501–1000 hives, 60% disagreed (9 submitters) with the proposed change. Only 27% agreed (4 submitters).

For submitters who owned 251–500 hives, 50% agreed (8 submitters) with the proposed change and 44% disagreed (7 submitters).

For submitters who owned 51–250 hives, a high proportion of 44% (7 submitters) neither agreed or disagreed. A further 44% agreed (7 submitters) and only 13% disagreed (2 submitters).

Comparatively, the highest level of agreement for this proposed change were 75% for submitters who owned 6–10 hives, 65% for those who owned 11–50 hives, and 64% for submitters who owned 1–5 hives.

Table 18. Responses to proposal that any DECA holder who does not ensure employee beekeepers meet new training requirements may have their DECA cancelled, by number of hives owned. ³¹

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	43	28%	55	36%	26	17%	17	11%	10	7%	151	100%
6–10 hives	15	54%	6	21%	3	11%	3	11%	1	4%	28	100%
11–50 hives	7	27%	10	38%	4	15%	3	12%	2	8%	26	100%
51–250 hives	3	19%	4	25%	7	44%	2	12%	0	-	16	100%
251–500 hives	5	31%	3	19%	1	6%	1	6%	6	37%	16	100%
501–1000 hives	0	-	5	33%	1	7%	3	20%	6	40%	15	100%
1001 hives +	2	12%	3	18%	1	6%	3	18%	8	47%	17	100%
Not Applicable	1	17%	2	33%	3	50%	0	-	0	-	6	100%
TOTAL	76	28%	88	32%	46	17%	32	12%	33	12%	275	100%

* Percentages have been rounded up so totals may not exactly add up to 100%.

³¹ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 8. As such, the count of submitters is slightly lower from those shown in Table 17, as there were skips to Question 2.

Question 9. Response to proposal for a new rule ‘that DECA holder have two years to comply with the new AFB training requirements from the time the new AFB PMP takes effect’.

This proposed new rule ‘Transitional provisions for Review of Certificate of Inspection Exemption’ is to provide DECA holders with two years to comply with the proposed AFB training requirements from the time the new AFB PMP takes effect.

Preferences aggregated

Overall, 71% of submitters agreed or strongly agreed with the proposed change as shown in Table 19 below. For Māori business submitters, 57% (4) supported this change.

Table 19. Responses to proposal that provide DECA holders with two years to comply with the new AFB training requirements.

Answer choices	Number of answers	% Answers *
Strongly agree	64	23%
Agree	132	48%
Neither agree or disagree	37	13%
Disagree	22	8%
Strongly disagree	22	8%
TOTAL	277	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 20 below.

For submitters who owned 1001 or more hives, 53% (9 submitters) agreed with the proposed change and 35% (6 submitters) disagreed.

For submitters who owned 501–1000 hives, 47% (7 submitters) agreed with the proposed change and 40% disagreed (6 submitters).

For submitters who owned 251–500 hives, 50% agreed (8 submitters) with the proposed change and 44% disagreed (7 submitters).

Amongst submitters who owned fewer than 251 hives, at least 70% of submitters in all ownership categories supported the proposed change.

Table 20. Responses to proposal that provide DECA holders with two years to comply with the new AFB training requirements by number of hives owned.³²

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	33	22%	79	52%	23	15%	13	9%	3	2%	151	100%
6–10 hives	13	46%	10	36%	4	14%	0	-	1	4%	28	100%
11–50 hives	9	35%	11	42%	2	8%	3	12%	1	4%	26	100%
51–250 hives	4	24%	9	53%	3	18%	0	-	1	6%	17	100%
251–500 hives	4	25%	4	25%	1	6%	2	12%	5	31%	16	100%
501–1000 hives	0	-	7	47%	2	13%	2	13%	4	27%	15	100%
1001 hives +	0	-	9	53%	2	12%	0	-	6	35%	17	100%
Not Applicable	1	17%	3	50%	0	-	1	17%	1	17%	6	100%
TOTAL	64	23%	132	48%	37	13%	21	8%	22	8%	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³² This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 9. As such, the count of submitters is slightly lower from those shown in Table 19, as there were skips to Question 2.

Question 10. Response to proposal for a new rule ‘that diagnostic laboratories are required to provide the Management Agency with all AFB testing results and contact details for the submitter and the beekeeper’.

This proposed new rule requires diagnostic laboratories to provide the Management Agency with the results of all samples test for AFB and the contact details for the submitter and the beekeeper.

Preferences aggregated

Overall, 70% of submitters agreed or strongly agreed with the proposed change as shown in Table 21 below). For Māori business submitters, 71% (5) supported this change.

Table 21. Responses to proposal that diagnostic laboratories provide AFB testing results and contact details to the Management Agency.

Answer choices	Number of answers	% Answers *
Strongly agree	78	28%
Agree	118	43%
Neither agree or disagree	25	9%
Disagree	18	7%
Strongly disagree	38	14%
TOTAL	277	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 22 below.

For submitters who owned 1001 or more hives, 59% (10 submitters) disagreed with the proposed change. Only 42% (7 submitters) agreed.

For submitters who owned 501–1000 hives, 40% (6 submitters) disagreed with the proposed change and 40% agreed (6 submitters). A further 20% (3 submitters) neither agreed nor disagreed.

For submitters who owned 251–500 hives, 50% disagreed (8 submitters) with the proposed change and 50% agreed (8 submitters).

Comparatively, there were high levels of agreement from owners of fewer than 251 hives.

Table 22. Responses to proposal that diagnostic laboratories provide AFB testing results and contact details to the Management Agency, by number of hives owned.³³

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree or disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	43	28%	76	50%	15	10%	8	5%	9	6%	151	100%
6–10 hives	12	43%	9	32%	3	11%	3	11%	1	4%	28	100%
11–50 hives	7	27%	13	50%	2	8%	1	4%	3	12%	26	100%
51–250 hives	2	12%	9	53%	1	6%	2	12%	3	18%	17	100%
251–500 hives	6	37%	2	12%	0	-	1	6%	7	44%	16	100%
501–1000 hives	2	13%	4	27%	3	20%	2	13%	4	27%	15	100%
1001 hives +	4	24%	3	18%	0	-	1	6%	9	53%	17	100%
Not Applicable	1	17%	2	33%	1	17%	0	-	2	33%	6	100%
TOTAL	77	28%	118	43%	25	9%	18	7%	38	14%	276	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³³ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 10. As such, the count of submitters is slightly lower from those shown in Table 21, as there were skips to Question 2.

Question 11. Response to proposal that ‘beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place’.

This proposed new rule requires transfers to be notified in writing to the Management Agency. Information required are beehive transfer dates, contact details, and the registration numbers of beekeepers involved in the transfer. The intention of the proposal is to help the Management Agency trace potential AFB spread.

Preferences aggregated

Overall, 73% of submitters agreed or strongly agreed with the proposed change as shown in Table 23 below. For Māori business submitters, 83% (5) supported this change.³⁴

Table 23. Responses to proposal that beehive transfers are notified within 14 days of the transfer.

Answer choices	Number of answers	% Answers *
Strongly agree	75	27%
Agree	125	46%
Neither agree nor disagree	34	12%
Disagree	26	9%
Strongly disagree	14	5%
TOTAL	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a high level of agreement to this proposed change across all hive ownership size cohorts, as shown in Table 24 below.

The level of agreement ranged from 56% agreement from owners of 251–500 hives, to 78% agreement from owners of 6–10 hives.

There was over 70% agreement with the proposed change from owners of 501 hives or more.

³⁴ Note one submitter in this cohort skipped this question.

Table 24. Responses to proposal that beehive transfers are notified within 14 days of the transfer, by number of hives owned.³⁵

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	40	27%	70	47%	21	14%	12	8%	6	4%	149	100%
6–10 hives	11	39%	11	39%	3	11%	3	11%	0	-	28	100%
11–50 hives	9	35%	11	42%	3	12%	2	8%	1	4%	26	100%
51–250 hives	3	18%	8	47%	2	12%	3	18%	1	6%	17	100%
251–500 hives	5	31%	4	25%	1	6%	3	19%	3	19%	16	100%
501–1000 hives	3	21%	7	50%	2	14%	2	14%	0	-	14	100%
1001 hives +	3	18%	9	53%	1	6%	1	6%	3	18%	17	100%
Not Applicable	1	17%	4	67%	1	17%	0	-	0	-	6	100%
TOTAL	75	28%	124	45%	34	12%	26	10%	14	5%	273	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³⁵ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 11. As such, the count of submitters is slightly lower from those shown in Table 23, as there were skips to Question 2.

Question 12. Response to proposal that ‘beekeepers are required to provide beekeeper registration numbers when recording beehive transfers (sales and purchase) as part of the Annual Disease Return’.

This proposal is an amendment to an existing Rule ‘Annual Disease Return’ which requires beekeepers to provide an Annual Disease Return (ADR) every year on or before 1 June. The ADR collects information about the number of colonies, apiaries, and any transfers of beehives (sales and purchases). The proposed amendment requires beekeeper registration numbers to also be provided as part of beehive transfer notifications. The intention of the proposal is to help the Management Agency trace potential AFB spread.

Preferences aggregated

Overall, 81% of submitters agreed or strongly agreed with the proposed change as shown in Table 25 below. For Māori business submitters, 100% (6) supported this change.³⁶

Table 25. Responses to proposal that beekeeper registration numbers are provided for beehive transfers as part of the Annual Disease Return.

Answer choices	Number of answers	% Answers *
Strongly agree	83	30%
Agree	141	51%
Neither agree or disagree	27	10%
Disagree	12	4%
Strongly disagree	11	4%
TOTAL	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³⁶ Note one submitter in this cohort skipped this question.

Preferences by number of hives owned

There was a high level of agreement to this proposed change across all hive ownership size cohorts, as shown in Table 26.

The level of agreement ranged from 64% agreement from owners of 1001 or more hives, to 92% agreement from owners of 11–50 hives.

Table 26. Responses to proposal that beekeeper registration numbers are provided for beehive transfers as part of the Annual Disease Return, by number of hives owned. ³⁷

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree or disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	46	30%	80	53%	18	12%	5	3%	2	2%	151	100%
6–10 hives	11	39%	13	46%	3	11%	0	-	1	4%	28	100%
11–50 hives	10	38%	14	54%	0	-	2	8%	0	-	26	100%
51–250 hives	3	18%	10	59%	2	12%	1	6%	1	6%	17	100%
251–500 hives	4	27%	6	40%	1	7%	2	13%	2	13%	15	100%
501–1000 hives	2	15%	9	69%	1	8%	1	8%	0	-	13	100%
1001 hives +	6	35%	5	29%	1	6%	0	-	5	29%	17	100%
Not Applicable	1	17%	3	50%	1	17%	1	17%	0	-	6	100%
TOTAL	83	30%	140	51%	27	10%	12	4%	11	4%	273	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

³⁷ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 12. As such, the count of submitters is slightly lower from those shown in Table 25, as there were skips to Question 2.

c. Key themes – proposed training requirements

As shown above, proposals for new training requirements and the provision of AFB testing results were unpopular amongst beekeepers with higher numbers of hives. Some submitters, from all hive ownership cohorts, provided written comments about their reasons for objecting as summarised below.

KEY THEMES - PROPOSED TRAINING REQUIREMENTS ³⁸
EMPLOYEE TRAINING
<p>1. The term ‘employees’ needs specifying. Not all employees are involved in bee husbandry, and not all employees have responsibilities that require AFB recognition training. The training timeframe for employees is too short and inconsistent with non-employee beekeeper requirements.</p> <p>a) Employees engage in a range of tasks and are not all employees are involved in bee husbandry. Employees may work part time, seasonally, casually, and be family members. For employees not responsible for inspecting hives, AFB recognition training is not needed. Some employees may not have sufficient English literacy skills.</p> <p>Quotes from submitters</p> <p><i>Define bee keeper employee to those actively involved in bee husbandry.</i></p> <p><i>Not every employer would require all employees to hold a DECA. They may be not able to read and write or only be casual or many other reasons. Not 1 box fits all. Of course, it would be helpful, but you are introducing a discriminatory requirement which is illegal.</i></p> <p><i>A beekeeper employee can be any casual staff, even those used for harvesting, family members etc. So, it is not reasonable to expect these staff to have had to attend an AFB course.</i></p> <p><i>I only employ labourers to help lift and blow bees off honey supers so they shouldn't be required to have a DECA as they aren't inspecting hives.</i></p> <p><i>Part time / seasonal workers assisting a beekeeper should not necessarily need to be qualified.</i></p> <p><i>The provision for employee beekeepers to sit and pass a recognition course within 6 months is somewhat problematic. Some employers employ [their] new beekeepers to undertake one function in their first season—it may be as a fetch and carry person, or they only put in Varroa treatment strips. These beekeepers may not do any disease inspection until their next seasons.</i></p>

³⁸ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

- b) Training within six months of commencing employment is too soon. Some employees may leave within a year, some will be working under supervision, and others will only undertake one function in the first season. In times of high staff turnover, this requirement is not practical.

Quotes from submitters

6 months is far too soon to do [a] recognition course, a lot of new staff don't make it to 12 months, let alone have the skills to work hives without supervision.

Some employers employ [their] new beekeepers to undertake one function in their first season ... These beekeepers may not do any disease inspection until their next seasons. Even if this is not the case, if a new employee is taken on in late Autumn or Winter, getting them up to speed for disease recognition when there is no brood in the beehives makes it difficult to get the employee to recognise normal brood from that which is diseased.

- c) It is an anomaly for employee beekeepers to be eligible to hold a DECA after six months when other beekeepers must wait 12 months. New beekeepers may find it a challenge to find and pay for COI inspectors during this 12-month period, when they have passed an AFB recognition course.

Quotes from submitters

[You] are expecting employers to get new staff trained yet you refuse to allow beekeepers with less than 12 months experience become DECA approved. [T]his is archaic, surely the more people who can identify AFB the better.

2. Employers are responsible for staff training and provide better training than the Management Agency. Employee training records are private information.

- a) Employers are responsible for ensuring staff are competent for the work tasks. Employer beekeepers offer better training than those provided by the Management Agency. Employer training is provided in the field by experienced beekeepers and occurs more frequently than the proposed requirement.

Quotes from submitters

A good beekeeping business is very capable of training its own staff and don't need the added cost and bureaucracy.

...it is an ongoing responsibility of mine, and I don't want to be bothered recording dates if working with staff farming beehives. If we run a special training course in house, we will record that, but the best training is in the field. Looking at books, videos is not nearly as good as working beehives, or as a training medium ... in most cases the business owner DECA holder, will have more knowledge than any AFB refresher course will give them. This is from personal experience.

The AFB courses are not a good indicator of a beekeeper's ability to recognise AFB. It is unfair to expect companies to pay for courses that do not give beekeepers actual skills. It is the responsibility of the apiary manager or owner to ensure the staff know what they are looking for.

With the high turnover of staff, it needs to be the staff's responsibility to get what qualification best suits the function they have in the work environment.

- b) Employee training records are private information. Keeping records is another compliance cost, and the Management Agency should already have this information from attendance records.

Quotes from submitters

Training records are part of RMP for those with one. Otherwise, they are a private thing between employer and employee.

Beekeepers should not have to provide proof that employees have sat the recognition test—management agency should already have access to that information from [their] own records.

[W]e are not the police. [It] is up to individuals to [ensure] that their training is up to date.

Employment dates are of no concern to the Management Agency. The only record the Management Agency should be able to request is a record of the AFB Courses.

REFRESHER TRAINING

3. Experienced and commercial beekeepers should not have to attend refreshers, but newer beekeepers may benefit. There was also a view that five years was too infrequent. Another view was that workshops for commercial beekeepers are important as they own most of the hives.

- a) Experienced beekeepers with a record of good practice should not have to attend five-yearly refreshers. There is no benefit, and attendance takes a day out of work. This requirement also undermines the value of the DECA, may reduce compliance, and increases administration costs.

Quotes from submitters

Existing apiarists with traceable records of good management practice should not be penalised with five-year refresher course.

After 50 years of beekeeping and past AP2 holder and recent DECA holder, I have enough experience to recognise AFB from sac and chalk brood without further training. Lifting the lid on a hive can reveal a lot.

[A]fter 40 years in the industry, 30 working for a large commercial beekeeping company my thought on a continued renewal of a DECA is not [necessary] ... it is hardly difficult to diagnose.

Good overall but not wanting to have to take a day out for new training every five years. That will be difficult—what if the local date does not work?? I know what AFB looks like and check for it deliberately twice every year. I would rather sign a document confirming I have read a summary with pictures etc.

DECA holders should not have to attend a refresher course every 5 years unless there is new information in the course on the recognition of AFB. If the course is compulsory, it should be free of charge to DECA holders.

What is the point in obtaining a DECA to then have to comply to your refresher courses. Once you have learnt how to detect & eliminate AFB you will not ever forget how to. Too bureaucratic.

A person that is working daily with bees should be well versed with AFB symptoms and the AFB course doesn't benefit an experienced beekeeper.

Personally, I feel confident that I can find AFB in its early stages and with 15 plus years' experience as a beekeeper it would just be a waste of time and money doing a refresher course every 5 years. I think it may be useful to have a one-off refresher course, say two years after the first course to make sure the beekeeper is properly trained.

Not sure if there is a need for a [DECA] holder to do a refresher [AFB] course every 5 years we are constantly looking for [AFB] etc. I don't think it's something you forget?

With regards to Principle 5—the proposed changes are de facto compulsory professional development (CPD) requirements. Either CPD should be required (mandated) or not. The proposals are, in our view, lacking clarity as to the objectives.

If you want to make 5 yearly refresher courses compulsory, then they need to be more frequently and locally available.

RE: DECA holders should ensure employee beekeepers attend a recognised AFB Refresher Course once every 5 years—this should be more regular (i.e., 2–3 years if not less) as they're most likely to become complacent or lax with their inspections.

AFB recognition courses should be undertaken every 2 years, not 5.

Recommend that reference course time frame is 2 years not the proposed 5 years.

We have a huge, huge problem here in NZ... The [AFB] recognition course is too easy and I have witnessed many many many beekeepers completely miss [AFB] when in a hive... 5 years is too far away. Make courses harder and don't give out certificates like it's candy.

- b) Another view was that workshops for commercial beekeepers could be used as an important strategy for reducing AFB levels. Such workshops would be in person, not online, and cover a range of topic areas relevant to commercial operators. Suggested topics included: quality control tools, methods of tracing equipment movement, qPCR, methods of sterilisation, and area eradications.

Quotes from submitters

Workshops for commercial beekeepers were the most important part of the notified PMS, as commercial beekeepers own 95% of hives, own almost all the AFB hives, and are responsible for most of the spread of AFB. The lack of this programme is likely the reason AFB levels did not decline after the PMS was put in place, whereas levels had decreased every year for the previous 10 years. It has also decreased the perceived beekeeper ownership of the strategy, as most of the activities of the strategy has been about finding and destroying AFB hives before beekeepers can create new ones, rather than trying to decrease the rate which AFB spreads in commercial beekeeping operations.

Running field days where beekeepers can look in beehives and identify "issues" in a hands-on way is far more beneficial than just looking at photos. Field days should also allow for discussions particularly on what to do if there is an AFB "outbreak" within your hive holdings.

How about adding how to manage [AFB] to commercial hive owners. Not just a recognition course for [AFB]. It's time we accepted that we can't eradicate if we can't even manage it properly! We have a multimillion-dollar industry that is going down the drain due to our management systems.

- c) Providing refresher courses for relatively new beekeepers was a suggested option, although there was also an opposite view.

Quotes from submitters

I think it may be useful to have a one-off refresher course, say two years after the first course to make sure the beekeeper is properly trained.

...however, all new beekeepers if they were on an official course, would already have passed an AFB CSE: they do not need to be forced to do it again within their first 2yrs.

CONTENT, COST, AND EFFECTIVENESS OF TRAINING COURSES

4. Training courses need to be better and be free, and the best training is provided in the field.

- a) Training courses aren't good, are too easy, and aren't available often enough or in enough locations. Courses should be accessible and affordable or free.

Quotes from submitters

The [AFB] recognition course is too easy ... Make courses harder and don't give out certificates like it's candy.

You will need to run a lot more regional courses for AFB courses than you do now ... we have tried to get into a local one for 2 years and still haven't had 2 staff able to attend ... note they should be free courses to [levy] payers.

[Training] should be free to the beekeepers to make them feel that they are getting some tangible value from their levies.

I think it is important that courses to update AFB are readily accessible and affordable.

When the PMP took over the administration of the training courses, they put up the price by 300%, (\$30 to \$100). Some people just cannot afford this and so have not taken the opportunity to become DECA qualified. Courses should be free on-line.

If the course is compulsory, it should be free of charge to DECA holders.

DECA courses should be affordable to the hobbyist beekeeper.

I think it is important that courses to update AFB are readily accessible and affordable. I also think that support/advice is readily available to all beekeepers where needed as part of the management plan ...

- b) The best training is in the field, including offering workshops and field days. Disease-a-thons for hobby beekeepers were valuable in the past.

Quotes from submitters

Most beekeepers only recognise the disease after they have physically seen it in a hive. As an experiment at one training course, a number of frames were laid out for beekeepers to identify if anything was wrong. None including the instructors taking the course, picked out AFB scale in a frame. Picture learning only goes so far.

The use of refresher courses to keep beekeepers up to recognising disease is not the only way in which to do this. Running field days where beekeepers can look in beehives and identify "issues" in a hands-on way is far more beneficial than just looking at photos. Field days should also allow for discussions particularly on what to do if there is an AFB "outbreak" within your hive holdings.

Training is a good option however this training requires touch, smell, hands on training not online.

5. Training course attendance is an unreliable indicator of ability to detect AFB. AFB is easy to recognise. It is the ability and willingness to act when AFB is found that matters. The problem is ineffective management systems and lack of action when AFB is detected.

Quotes from submitters

I feel as though the [DECA] courses are ineffective as competent beekeepers do not need refreshers every 5 years while incompetent beekeepers still pass the [DECA] courses.

The AFB refresher courses give an unrealistic level of confidence diagnosing AFB. They should not be used as a mark of competency for commercial operators, and ultimately the company DECA holder needs to be held responsible for the competency of their staff.

The AFB courses are not a good indicator of a beekeeper's ability to recognise AFB. It is unfair to expect companies to pay for courses that do not give beekeepers actual skills. It is the responsibility of the apiary manager or owner to ensure the staff know what they are looking for.

I feel that a DECA holder having to attend an AFB identification course every 5 years [is] unnecessary. I'm certain they will know how to identify AFB. It will be the systems within their beekeeping operation they have for checking for AFB that lets them down. E.g., workload versus time to do things correctly.

[T]he problem is not getting beekeepers to recognize AFB but getting them to do something about it when they do find it.

ROLE OF A DECA (Disease Elimination Compliance Agreement)

6. The role of a DECA needs clarification. Some considered a DECA should not be cancelled and should not be used to require attendance at training courses. There was also view that a DECA should not be cancelled if a beekeeper has increased AFB due to neighbouring infections.

Quotes from submitters

There needs to be better clarification of what you mean by DECA. There are 2 things which are quite different which are referred to as DECAs. This should be changed.

There seems to be a misunderstanding as to what a DECA is. We have people who have no beehives who say they have a DECA. They don't have a DECA and stop calling an AFB training [course], a DECA.

Our DECA is an agreement between the owner of the hives and the Management Agency, as to your policies and procedures that will be undertaken to keep AFB at low to zero levels. It should NEVER be taken away, as it is your tool to amend what you do when needed to overcome any outbreak and sterilise anything that may be suspect.

Our DECA is an agreement between our business and the PMP and should not be cancelled. It is our responsibility to carry out the conditions set out in our DECA ... there seems to be a complete misunderstanding by some people in the industry as to what a DECA is and its purpose.

Weaponising the DECA and training frameworks, by requiring beekeepers and their staff to attend training courses ... is to fundamentally misunderstand the DECA model, which is to enlist the active cooperation of beekeepers through a framework of trust and commitment. Shifting the focus to process compliance (attending a course) rather than outcomes (seeking out and taking responsibility for clinically observed AFB) trivialises that relationship and infantilises the beekeeper ... This is not to mention the additional costs involved at a time when beekeeping enterprises are especially hard-pressed.

DECA review by the beekeeper every two years in HiveHub should be automated, failing to review and modify the DECA to reflect hive numbers should result in potential cancelling of the DECA.

Cancelling a beekeeper's DECA because the incidence of AFB is increasing is nonsense and could be simply because the beekeeper has some AFB idiot move infected hives within close proximity to his. It shows he is reporting it, when if this rule is implemented, it will discourage reporting.

I keep finding [AFB] when I['m] close to other[s] but not when I have [an] area to myself, [you're] going to take a [DECA off] someone who doesn't have trouble but [keeps] picking it up from other beekeeper's hives.

d. Key themes – proposed provision of laboratory test results

The proposal for diagnostic laboratories to provide AFB test results to the Management Agency was unpopular amongst beekeepers with higher numbers of hives, as shown in the previous section. Some submitters, from all hive ownership cohorts, provided written comments about their reasons for objecting as summarised below.

KEY THEMES—PROPOSED REQUIREMENT TO PROVIDE AFB LABORATORY TEST RESULTS ³⁹

7. Laboratory test results are private, commercially sensitive, and need to be protected. Results should only be provided with owner consent and/or if paid for by the Management Agency. Some beekeepers may be discouraged from testing.

- a) Test results are private, commercially sensitive information. They are paid for and owned by the beekeeper. Requirement falls heavily on commercial beekeepers. Laboratories should not be required to release this information to the Management Agency. There was a view that hobby beekeepers should be required to submit samples for testing as they are less likely to recognise AFB.

Quotes from submitters

Most [of] our honey testing is done on honey which is about to be exported. We are paying for this knowledge; a lot of money and it doesn't belong to anybody else other than to us. [I]f laboratories are passing on this knowledge now, without our permission, I believe we may be able to take legal action against them.

[T]he agency has no rights to test results that we pay for—so controlling when AFB agency does nothing—can't inspect hives when request for months—what[’s] the point—Also everything they want to do will cost money—so next thing AFB agency will put our levies up again.

The proposed requirement to lawfully compel a third party (laboratory) to provide details directly to the management agency seems like overreach, raises privacy concerns and it is already an offence to not report any instances of AFB to the management agency. I see no benefit in this proposed change.

Laboratory results are own[ed] by the bill payer!

Firstly, the AFB agency does not provide consideration to either the beekeeper (in the way of a contribution to the testing fee) or to the laboratory. In effect, the Management Agency (AFB) is asking to be added to the contract between the 2 parties, yet the privity of the contract demands that only

³⁹ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

those parties to the contract can enforce or be subject to the benefits or obligations under that contract ... In other agricultural settings, the government agency pays a fee for this privilege.

This is an ambush: beekeepers are required to check for clinical signs; spores are sub-clinical. Using this data for enforcement or compliance amounts to a form of entrapment, especially if the MA chooses not to enforce spore derived AFB information against some beekeepers while going after others.

Having it mandatory for laboratories to supply results to the Management Agency not only supplies private information, but also target semi-commercial and commercial beekeepers, as most Hobby Beekeepers do not get their honey tested. It is my belief that Hobby beekeepers should be having their honey tested, as they are the ones that are less likely to see AFB "in the flesh".

- b) Test results should only be provided on a voluntary basis. There were suggestions for beekeepers, rather than laboratories, to provide results to the Management Agency. Another option was for the Management Agency to pay for test results.

Quotes from submitters

Asking Laboratories to provide AFB test results goes too far. This puts labs in an invidious position, loss of confidentiality. If, however the PMP offered to pay half of the test cost, beekeepers may be more [amenable].

Any sharing of results from labs should be encouraged not mandated. The agency should use the carrot approach not the stick approach. Shared results should get a reduction in AFB levies irrespective of the pass/fail result.

Any laboratory tests we do are a private contract between ourselves and the laboratory we choose to use, any test results are our personal property as we have paid for them. We are quite happy to provide honey samples to the management agency to test if they wish.

It should [be] a requirement of the bee keeper to provide the results from any laboratory tests and not for the laboratory to send the results in.

Lab test results are private commercial information, the management agency must request honey samples for the agency to test for AFB spores.

While I agree with the provision of AFB Test results in general terms, I don't agree with the invasion of privacy surrounding this: If the Agency takes its own samples and tests these, I see this as acceptable. Effectively My Tests are My Information!

In effect, the Management Agency (AFB) is asking to be added to the contract between the 2 parties, yet the privity of the contract demands that only those parties to the contract can enforce or be subject to the benefits or obligations under that contract. The Management Agency (AFB) is demanding that the laboratories pass on the results from AFB testing to themselves. In other agricultural settings, the government agency pays a fee for this privilege. There is no mention of this occurring here.

- c) Some may be discouraged from testing and non-compliant beekeepers are unlikely to submit samples for testing.

Quotes from submitters

Requiring labs to disclose sample submitter details will discourage beekeepers from testing for AFB ... We do not want to discourage testing for AFB nor turn labs into perceived "spies".

... knowing that the test results will be passed on the Management Agency that may take action based on the results which will discourage beekeepers from getting samples tested... I do not think the gains [to the AFB PMP] in having these results will justify the negative effects it may have on beekeepers' eradication programmes.

The proposed amendments have a potential unintended side effect. I am concerned that these measures may deter some beekeepers particularly hobbyists from sending samples to the lab, thereby driving them underground.

Lab test results should only be provided on a voluntary basis. A recidivous non-compliant beekeeper is unlikely to test for AFB.

[Y]ou risk people not sending in samples for testing, and or labs refusing to test. Breaching this rule would be an offence, who? the Lab? if they don't supply the information how do you know who to charge.

To ensure compliance my preference is that the beekeepers are given responsibility and penalised if they don't comply. Bringing in third parties like labs and asking them to report on beekeepers may be counterproductive and reduce beekeepers testing for AFB.

[I]f labs are required to report all AFB results beekeepers might not test any more as a consequence.

- d) Laboratories should only be required to report positive results to the Management Agency. This may reduce the costs that will be passed on to the beekeepers.

Quotes from submitters

Also, labs should only notify POSITIVE AFB results to keep costs down otherwise increased costs passed onto beekeeper.

[A]s Principal measure 3 requires laboratories to notify is AFB is detected, provision of negative results is not required.

8. Need strict privacy protections for beekeeper information. Testing results must be protected, and safe data storage ensured.

- a) Lack of concern for beekeeper privacy, obtaining consents, and safeguarding information. Protections to affected parties against any exploitation by the Management Agency are not specified. There is no indication the Privacy Commissioner has been consulted about safe data storage.

Quotes from submitters

Need for strict privacy with info obtained from honey tests and not used for commercial gain.

There is no discussion about consent; this should be clearly and freely communicated with the concerned parties ... Moreover, there is no discussion about the protections for those samples that come back non-negative (or positive for AFB). What protections would be provided to affected parties against prejudice or oppressive conduct from the Management Agency (AFB)? It is not sufficient to say that the agency will proceed on the basis that they have never acted with bias or prejudice (though some of the discussion in the consultation obviously thought otherwise). There is nothing presented to stakeholders that would indicate that egregious practices that involve exploiting an effective party's vulnerabilities or lack of bargaining power and conduct that goes beyond what is commercially necessary or justifiable. This area needs more clarity.

Placing undue burden on laboratory test facilities to handle and transfer information of owner details has many risks. The current framework covers this by placing the burden of notifying of AFB on the owner themselves, already a lawful requirement. The status quo should remain in this respect.

9. Costs and logistics need to be viable for diagnostic laboratories to comply

- a) Systems will need to be modified to collect required information in a way to minimise costs to laboratories. A good option to minimise collection of personal information, and protect confidentiality, is to use the beekeeper registration number as the personal identifier on information provided to the Management Agency.

e. Key theme – proposed requirements for beehive transfers

A few submitters raised specific concerns about the need for the following two proposed rules.

- ‘Beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place’.
- ‘Provide beekeeper registration numbers when recording beehive transfers (sales and purchases) as part of the Annual Disease Return’.

The following table summarises feedback about these two proposed rules.

PROPOSED REQUIREMENTS FOR REPORTING BEEHIVE TRANSFERS ⁴⁰
<p>10. The requirement to notify beehive transfers within 14 days is unnecessary or does not allow enough time. The requirement to provide beekeeper registration numbers when notifying transfers in the Annual Disease Returns is unnecessary. Another view was to extend the requirement to include hive components and freely given hives.</p> <p>a) Proposed rule ‘beekeepers are required to notify the Management Agency of beehive transfers within 14 days of the transfer taking place’ is unnecessary or does not allow enough time. Clarity about how notification is to be given is needed.</p> <p>Quotes from submitters</p> <p><i>It is not relevant to the Management Agency who beehives have been transferred to and from. The point is that they are all inspected, and any clinical AFB is eliminated, and future risk is managed.</i></p> <p><i>Think the transfer info is necessary but to make it an offence not to report within 14 days is too harsh. ... says "in writing". I would have thought that these days an "on line/email" communication would be suitable??</i></p> <p><i>to ensure compliance beekeeper should be able to complete DECA refresher online and notify transfers electronically.</i></p> <p><i>The transfer of hives has always been reported on the ADR, to have to report within 14 days of the transfer as well is just a double up of what has worked over the years.</i></p> <p><i>If I need my registration as proof of transferring a hive or nuc into my name—what is the required proof? Is it in a license card type form?</i></p> <p><i>The owner of the hives has the [responsibility] to be compliant, not the seller as the norm in commercial transactions.</i></p>

⁴⁰ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

- b) Proposed rule 'to provide beekeeper registration numbers when recording beehive transfers (sales and purchases) as part of the Annual Disease Return' duplicates existing requirements. Requirement could also extend to include hive components and freely given hives.

Quotes from submitters

We are proposing that beekeepers are required to provide beekeeper registration numbers when recording beehive transfers (sales, purchases and freely given hives) as part of the Annual Disease Return.

The transfer of beehives to include "The transfer of beehive components". At one time I received equipment (boxes and frames from a recognised beekeeper of whom I asked had he had any AFB. No, he replied) yes that was my first instance of AFB and hive destruction.

[A]s we will already be putting through transfer within 14 days of sale, why do it twice.

f. Preferences for proposed offences and penalties (questions 14–19)

It was proposed that the penalty for breaching four specified rules should be an infringement fine. A brief description of each proposal and the responses to each proposal are shown under each question.

Question 14. Response to proposal that the penalty for a breach of the rule ‘Prohibition on keeping bees in a place other than an apiary’ will be an infringement fine of \$400 for and individual or \$800 for a corporation.

Under this proposal the rule remains the same but the penalty for breaching the rule changes to an infringement fine.

Preferences aggregated

Overall, 59% of submitters agreed or strongly agreed with the proposed change as shown in Table 27 below. For Māori business submitters, 57% (4) supported this change.

Table 27. Responses to proposal that breaching the rule ‘Prohibition on keeping bees in a place other than an apiary’ will be subject to an infringement fine.

Answer choices	Number of answers	% Answers *
Strongly agree	59	21%
Agree	103	38%
Neither agree or disagree	39	14%
Disagree	41	15%
Strongly disagree	31	11%
TOTAL	273	100%

* Percentages have been rounded up so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 28 below.

For submitters who owned 1001 or more hives, 53% (9 submitters) disagreed with the proposed change. Comparatively 36% (6 submitters) agreed.

For submitters who owned 501-1000 hives, a small majority of 57% agreed (8 submitters) and 36% (5 submitters) disagreed with the proposed change.

For submitters who owned 251–500 hives, 57% agreed (9 submitters) and 37% disagreed (6 submitters) with the proposed change.

For submitters who owned 51–250 hives, 35% (6 submitters) disagreed and a further 35% (6 submitters) neither agreed nor disagreed. Only 30% (5 submitters) agreed with the proposed change.

Comparatively, most hive owners with fewer than 51 hives agreed with the proposed change.

Table 28. Responses to proposal that the penalty for breaching the rule ‘Prohibition on keeping bees in a place other than an apiary’ will be an infringement fine, by number of hives owned. ⁴¹

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree or disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	32	22%	62	42%	22	15%	20	14%	12	8%	148	100%
6–10 hives	11	39%	7	25%	3	11%	7	25%	0	-	28	100%
11–50 hives	7	27%	12	46%	2	8%	2	8%	3	12%	26	100%
51–250 hives	2	12%	3	18%	6	35%	4	24%	2	12%	17	100%
251–500 hives	3	19%	6	38%	1	6%	2	12%	4	25%	16	100%
501–1000 hives	0	-	8	57%	1	7%	1	7%	4	29%	14	100%
1001 hives +	2	12%	4	24%	2	12%	3	18%	6	35%	17	100%
Not Applicable	2	33%	1	17%	1	17%	2	33%	0	-	6	100%
TOTAL	59	22%	103	38%	38	14%	41	15%	31	11%	272	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

⁴¹ This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 14. As such, the count of submitters is slightly lower from those shown in Table 27, as there were skips to Question 2.

Question 15. Response to proposal that the penalty for a breach of the rule ‘Obligation to keep honeybees in moveable frame hives’ will be an infringement fine of \$400 for and individual or \$800 for a corporation.

Under this proposal the rule remains the same but the penalty for breaching the rule changes to an infringement fine.

Preferences aggregated

Overall, 64% of submitters agreed or strongly agreed with the proposed change as shown in Table 29 below. For Māori business submitters, 57% (4) supported this change.

Table 29. Responses to proposal that breaching the rule ‘Obligation to keep honeybees in moveable frame hives’ will be subject to an infringement fine.

Answer choices	Number of answers	% Answers *
Strongly agree	72	26%
Agree	105	38%
Neither agree or disagree	38	14%
Disagree	32	12%
Strongly disagree	27	10%
TOTAL	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 30 below. More than 50% of submitters in all hive ownership size cohorts agreed with the proposed change.

The lowest levels of agreement were amongst owners of 251 or more hives.

Table 30. Responses to proposal that the penalty for breaching the rule ‘Prohibition on keeping bees in a place other than an apiary’ will be an infringement fine, by number of hives owned.⁴²

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree or disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	36	24%	59	40%	24	16%	19	13%	10	7%	148	100%
6–10 hives	12	43%	8	29%	2	7%	6	21%	0	-	28	100%
11–50 hives	10	38%	10	38%	1	4%	3	12%	2	8%	26	100%
51–250 hives	2	12%	8	47%	5	29%	1	6%	1	6%	17	100%
251–500 hives	5	31%	6	37%	1	6%	0	-	4	25%	16	100%
501–1000 hives	3	20%	6	40%	2	13%	0	-	4	27%	15	100%
1001 hives +	3	18%	6	35%	1	6%	2	12%	5	29%	17	100%
Not Applicable	1	17%	1	17%	2	33%	1	17%	1	17%	6	100%
TOTAL	72	26%	104	38%	38	14%	32	12%	27	10%	273	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

⁴² This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 15. As such, the count of submitters is slightly lower from those shown in Table 29, as there were skips to Question 2.

Question 16. Response to proposal that the penalty for a breach of the rule ‘Certificate of Inspection’ (COI) will be an infringement fine of \$400 for and individual or \$800 for a corporation.

This rule requires non-DECA holders to complete a Certificate of Inspection (COI) every year. Under this proposal the rule remains the same but the penalty for breaching the rule changes to an infringement fine.

Preferences aggregated

Overall, 59% of submitters agreed or strongly agreed with the proposed change as shown in Table 31 below. For Māori business submitters, 71% (5) supported this change.

Table 31. Responses to proposal that the penalty for breaching the rule ‘Certificate of Inspection’ will be an infringement fine.

Answer choices	Number of answers	% Answers *
Strongly agree	56	20%
Agree	106	39%
Neither agree or disagree	45	16%
Disagree	41	15%
Strongly disagree	27	10%
TOTAL	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 32 below.

More than 50% of submitters in all hive ownership cohorts, except those who owned 501–1000 hives, supported the proposed change. Support for the proposal was lowest amongst submitters who owned more than 500 hives.

Amongst submitters who owned 501–1000 hives, only 47% (7 submitters) agreed with the proposal and 26% (4 submitters) disagreed.

For those who owned 1001 or more hives, 53% (9 submitters) agreed with the proposed change and 36% (6 submitters) disagreed.

Table 32. Responses to proposal that the penalty for breaching the rule ‘Certificate of Inspection’ will be an infringement fine, by number of hives owned.⁴³

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	28	19%	57	38%	26	17%	23	15%	15	10%	149	100%
6–10 hives	11	39%	8	29%	2	7%	7	25%	0	-	28	100%
11–50 hives	6	23%	12	46%	2	8%	3	12%	3	12%	26	100%
51–250 hives	2	12%	9	53%	4	24%	0	-	2	12%	17	100%
251–500 hives	5	31%	6	37%	3	19%	1	6%	1	6%	16	100%
501–1000 hives	0	-	7	47%	4	27%	2	13%	2	13%	15	100%
1001 hives +	3	18%	6	35%	2	12%	3	18%	3	18%	17	100%
Not Applicable	1	17%	1	17%	1	17%	2	33%	1	17%	6	100%
TOTAL	56	20%	106	39%	44	16%	41	15%	27	10%	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

⁴³ This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 16. As such, the count of submitters is slightly lower from those shown in Table 31, as there were skips to Question 2.

Question 17. Response to proposal that the penalty for a breach of the rule ‘Annual Disease Return’ will be an infringement fine of \$200 for an individual or \$400 for a corporation.

This rule requires beekeepers to provide an Annual Disease Return (ADR) every year on or before 1 June. The ADR collects information on the number of colonies, apiaries, and any transfers of beehives. Under this proposal the rule remains the same but the penalty for breaching the rule changes to an infringement fine.

Preferences aggregated

Overall, 57% of submitters agreed or strongly agreed with the proposed change as shown in Table 33 below. For Māori business submitters, 67% (4) supported this change.⁴⁴

Table 33. Responses to proposal that the penalty for breaching the rule ‘Annual Disease Return’ will be an infringement fine.

Answer choices	Number of answers	% Answers *
Strongly agree	50	18%
Agree	106	39%
Neither agree or disagree	48	18%
Disagree	35	13%
Strongly disagree	34	12%
TOTAL	273	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 34.

The level of agreement ranged from a low of 41% agreement from owners’ of 1000 hives or more, to a high of 75% agreement from owners of 6–10 hives.

The lowest levels of agreement were from submitters who owned 1000 hives or more (41%, 7 submitters) and submitters with 501–1000 hives (50%, 7 submitters).

The highest levels of agreement were from owners of 6–10 hives (75%, 21 submitters) and owners of 251–500 hives (69%, 11 submitters).

⁴⁴ Note one submitter in this cohort skipped this question.

Table 34. Responses to proposal that the penalty for breaching the rule ‘Annual Disease Return’ will be an infringement fine, by number of hives owned. ⁴⁵

Number of hives	Answer choices										Total	
	Strongly agree		Answer choices		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	26	18%	54	37%	29	20%	22	15%	17	11%	148	100%
6–10 hives	9	32%	12	43%	2	7%	4	14%	1	4%	28	100%
11–50 hives	6	23%	12	46%	2	8%	3	12%	3	12%	26	100%
51–250 hives	2	12%	7	41%	5	29%	1	6%	2	12%	17	100%
251–500 hives	4	25%	7	44%	2	12%	0	-	3	19%	16	100%
501–1000 hives	1	7%	6	43%	3	21%	2	14%	2	14%	14	100%
1001 hives +	1	6%	6	35%	3	18%	2	12%	5	29%	17	100%
Not Applicable	1	17%	1	17%	2	33%	1	17%	1	17%	6	100%
TOTAL	50	18%	105	39%	48	18%	35	13%	34	12%	272	100%

* Percentages have been rounded up so totals may not exactly add up to 100%.

⁴⁵ This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 17. As such, the count of submitters is slightly lower from those shown in Table 33, as there were skips to Question 2.

Question 18. Response to proposal that it be made an offence to breach the existing rule ‘Obligation of beekeeper to destroy honeybees and materials’.

This rule requires beekeepers to destroy by burning, all honeybees, bee products, and appliances associated with a case of AFB within 7 days. Under this proposal the rule remains the same, but a breach of this rule becomes an offence that may lead to prosecution.

Preferences aggregated

Overall, 77% of submitters agreed or strongly agreed with the proposed change as shown in Table 35 below. For Māori business submitters, 71% (5) supported this change.

Table 35. Responses to proposal that it is an offence to breach the rule ‘Obligation of beekeeper to destroy honeybees and materials.’

Answer choices	Number of answers	% Answers *
Strongly agree	93	34%
Agree	118	43%
Neither agree or disagree	34	12%
Disagree	13	5%
Strongly disagree	16	6%
TOTAL	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 36.

More than 65% of submitters in all hive ownership size cohorts agreed with this proposed change.

The level of agreement ranged from a low of 65% agreement from submitters who owned 1001 or more hives, to a high of 89% agreement from owners of 6–10 hives.

Table 36. Responses to proposal that it is an offence to breach the rule ‘Obligation of beekeeper to destroy honeybees and materials’, by number of hives owned.⁴⁶

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	48	32%	68	46%	21	14%	5	3%	6	4%	148	100%
6–10 hives	13	46%	12	43%	0	-	2	7%	1	4%	28	100%
11–50 hives	13	50%	8	31%	3	12%	2	8%	0	-	26	100%
51–250 hives	4	24%	9	53%	3	18%	0	-	1	6%	17	100%
251–500 hives	4	25%	7	44%	1	6%	2	12%	2	12%	16	100%
501–1000 hives	4	27%	6	40%	3	20%	1	7%	1	7%	15	100%
1001 hives +	6	35%	5	29%	1	6%	1	6%	4	24%	17	100%
Not Applicable	1	17%	2	33%	2	33%	0	-	1	17%	6	100%
TOTAL	93	34%	117	43%	34	12%	13	5%	16	6%	273	100%

* Percentages have been rounded up so totals may not exactly add up to 100%.

⁴⁶ This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 18. As such, the count of submitters is slightly lower from those shown in Table 35, as there were skips to Question 2.

g. Key themes – proposed offences and penalties

As shown above, proposals for the new offences and penalties weren't supported by all submitters. Some submitters provided written comments about their reasons for objecting as summarised in the two tables below.

KEY THEMES FROM THE SUBMISSIONS—PROPOSED OFFENCES AND PENALTIES ⁴⁷
<p>11. Fines are heavy-handed, ineffective, and expensive to administer. Fines won't deter the non-compliant. It's revenue collecting and will lead to under-reporting of AFB. The focus should be on education not penalties.</p> <p>a) Imposing fines is too controlling and unnecessary.</p> <p>Quotes from submitters</p> <p><i>Very draconian and I don't think the penalties will make any difference to compliance. The non-compliant beekeepers are likely to have other issues and a fine is not helpful.</i></p> <p><i>Conferring extra powers and fines is bureaucracy and not creative thinking about the problem. Parking fines do not stop people parking incorrectly and pretty much everyone hates parking wardens.</i></p> <p><i>Fines make people more secretive; confiscation & destruction of beehives impose financial penalties far more effective than fines & removal of DECA.</i></p> <p><i>There is no evidence that fines will solve any problems that may or may not exist. It is just bureaucracy trying to grow its size and power.</i></p> <p><i>The proposed ... infringements [are] a concern, especially for hobbyist keepers. It is vague and blanket, and I doubt it will generate further compliance.</i></p> <p><i>Feels like New Zealand is becoming a place full of controlling measures.</i></p> <p><i>There are already suitable powers under the AFBPMP and Biosecurity Act. Any enforcement escalation should be done by MPI.</i></p> <p><i>Infringement fine has low level of proof. Prefer court procedure for fines.</i></p>

⁴⁷ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

- b) Administering fines and increased surveillance will add to administration costs. Fines are a way of increasing revenue to pay the Management Agency costs and salaries.

Quotes from submitters

Fines achieve little. Often the cost of recovery costs more than the fine.

The cost of administration will be more than the cost of the fines. Better to follow up with a stern phone call to embarrass offenders.

Once again AFB Agency can't do the basic[s] and inspect hives, even when they have [been] notified that AFB has been found in [nucs] ... so now you want to add fines—Total joke—sounds like another revenue source for AFB agency to waste some more of beekeeper's money.

The adding of fines is just another way to increase revenue to run an organisation that is top heavy and should close in 2023 as originally planned.

The AFB PMP is meant to be about helping beekeepers in eliminating AFB, not revenue collection to pay salaries of the PMP management and others.

I object to financial penalties as it turns the agency into a revenue collector, and this can pervert its original intentions. I don't see that it has the right to impose financial penalties. It would require an appeals process and all the resources that entails.

The AFB PMP is meant to be about helping beekeepers in eliminating AFB, not revenue collection to pay salaries of the PMP management and others.

Why the fines? Is this about better bee keeping practices or revenue gathering.

I hope these fines are a deterrent rather than revenue gathering. I'd be happy to change my answer if a reminder is issued via email that these returns are now due.

- c) Focus should be on education and support, not penalties. There should be incentives and rewards for compliance.

Quotes from submitters

The Agency seems to be heading down a police state approach with all the changes being penalty based rather than educational which would lead to better long-term compliance.

Let's get back to the 1980s when Southland had two apiaries' officers in Southland go around our province talking and helping beekeepers in a helpful way rather than this penalty system.

Should be made easier to comply and be rewarded for being [compliant]. Focus should [be] all about education and the benefits of compliance, rather than fines.

Work with small backyard beekeepers, make it simple ... [putting] up compliance rules, costs and charges aren't going to work, people will no longer register their hives ... The big stick mentality will never work.

[F]ining people doesn't change behaviour, education does. Make people aware and willing to conform. Use a carrot not the stick.

Penalties are not necessarily a deterrent and need to be enforced. Behavioural change is generally what is required. Maintain a register of non-compliant beekeepers and publicise after frequent offending.

Stronger penalties would disincentivise bee keepers notifying the AFB Management Agency of outbreaks however I don't believe the worst offenders are playing by the rules even as they stand.

Your proposed changes will not help reduce AFB. Education, Education, Education is the answer. Police like tactics will not work, you are taking the responsibility away from the beekeeper, this has been proven in many fields to be ineffective.

12. The fines structure is not weighted properly. Penalties should reflect the seriousness of the offence, the size of the beekeeping operation, and allow discretion for mitigating circumstances and history of non-compliance.

- a) Penalties should be appropriate to the seriousness of the offence. Some offences are more serious than others and this should be reflected in the penalties. Offences such as failing to destroy infected beehives should be subject to a greater fine for instance, than for breaching the proposed ADR rule.

Quotes from submitters

Being fined for not completing a form on time is a bit Draconian!

I agree with fines being imposed on offences but find fines of \$400 and \$800 dollars a bit high for the offence committed.

Failing to burn all AFB should be a greater [financial] offence than proposed, as it directly endangers other beekeepers. Repeat offences of all these rules should result in escalating fines each time.

[N]otification requirements should not be subject to penalties in normal, real-world circumstances where there is no intent to evade compliance. It would be bizarre to end up with rules that deterred responsible beekeepers from taking over abandoned hives, for example, if they were unable to secure the details of the former owner. Once again, the objective is to control AFB, not to dun beekeepers for money at every opportunity like some medieval leet-court.

We are at a time in the industry in which beekeepers are abandoning apiaries too often as financial pressures increase. I believe the penalties for abandoning hives should be greater than the cost of transferring said hives into the care of an experienced beekeeper.

- b) Penalties should be appropriate to the size of the beekeeping operation. Clarification of the definition of a corporation and the rationale for the differing fine amounts is needed. Some agreed corporations should pay more, while others disagreed.

Quotes from submitters

The fine for corporations should be much higher than double [an] individual as they are the ones who are making thousands of dollars out of not complying. Stop hitting the little man to the point you are driving the hobby beekeeper out of their hobby.

An individual has a lot of skin [in] the game and the fine should be a lot less and on the same note a corporation has no skin [in] the game and the fine should be much higher, not only double. This variation on the amount isn't fair neither does it tickle the pocket of big players. Their fine should be much higher.

\$400 for a hobby beekeeper is a large sum whereas \$800 for a corporation is probably small change. I suggest basing the penalty in the size of the enterprise.

\$400 too much for an individual and \$800 not enough for a company. \$200 and \$1200 makes more [sense].

Why should the corporation fine be any higher than the personal it's like saying if you work for a company [your] spring fine will be double that of anyone else?? Stupid and just a way to print money for the management agency.

What defines a corporation and why are they fined more?

The infringement fines may be a way to coerce people to become compliant, but I wonder who will determine who should get the higher "corporate" fine?

I would prefer the fines to be scaled in accordance with size of the operation and incidence of failure to comply.

The penalties should be graded...per hive or some sort of range say from [\$]40 to thousands for repeat and significant offending Say >30-50 hive.

In my opinion a \$800 dollar fine for a company is not enough of a deterrent for a company that is deliberately doing wrong, if they have been given a request and then fail to act on it then there needs to be stiffer penalties such as a higher fine, being made to test all honey batches in their company for AFB to prove there isn't an issue, being made to pay for a [AP2] inspection and all costs associated. In my opinion the fine for an individual is also a little low as they can have serious impact on other beekeepers in the area ...

[Change] the fine levels from fix cost to cost per hive numbers, similar to how the levy is charged out.

- c) Discretion to be applied to take circumstances into account. There may be good reasons for beekeeper non-compliance such as weather conditions or no access. Actions could be escalated if beekeepers fail to act when requested and non-compliance puts other nearby beekeepers at risk.

Quotes from submitters

I think if fines are introduced then should be discretionary or on a scale \$0 to \$800 as there could be good reasons why someone has failed to comply. Repeat offenders with poor apiary management/hygiene should be fined.

Always talk to the bee keeper before any prosecution takes place. There are often genuine reasons for slip ups.

Needs to be flexibility around the dates and amount of consultation that beekeepers have had before a fine. Sometimes you are just busy and need some relief.

[T]here has been no allowance made for situations that are out of beekeepers' control such as weather, access, fire bans, accidents, etc.

For first time offenders, a warning. Second strike and fines apply with a ban on future beekeeping for minimum 2 years.

I agree with fines, but I see these fines as non-deterrent. Make them larger and more of a deterrent.

13. Fines should be a last resort. Education, good communication, and warnings are needed first.

- a) Education and warnings should be the first response to non-compliance. There could be leniency for first time offenders and a 'three strike' approach. Fines should be reserved as a last resort for beekeepers who repeatedly refuse to comply.

Quotes from submitters

Educate not penalise.

Prefer that infringements penalties are levied on a 3-strike basis, I think punitive penalties will be seen as draconian.

Make the threat but be lenient on first-time offenders. I don't doubt that it is highly important to eliminate AFB, but some people need a bit of a push to get them on board—a criminal conviction is quite serious and should not be quickly applied in most cases.

Some trust and respect is required, annual inspections should be enforced with penalties if breaches or repeat offences occur.

Infringements should be the final consequence. The Agency should work with offenders first, give them a couple of chances and then impose fines.

[Name] feels bad about the [draconian] heavy fine system. [I]t makes beekeepers feel like criminals as one would be treated more kindly by the courts if they robbed a premises. {E}ducation and support should be the way [a]head as beekeepers are usually very kind [caring] types of people.

Rules and more rules just make it harder and more costly for beekeepers already trying to make the system work. Education (long term strategy) is the only way to make positive changes.

- b) Beekeepers need to be made aware of the rules, penalties, and their obligations, especially new beekeepers. The rules should be clearly communicated and understandable. New beekeepers should be advised to book an inspection early.

Quotes from submitters

a clear "invoice" for due dates for each compliance be communicated to each registered beekeeper.

New beekeepers need to be advised on registration that that in order to minimise chances of an infringement fine for COI default that they book an inspection with an approved beekeeper early.

[S]eems very heavy handed, but I am not happy with the agency as some rules I don't understand.

- 14. Enforcement, complaints, and appeal process need to be clearly outlined and put in place. Enforcement of the rules must be fair and measured. Some raised concerns about conflicts of interests by enforcers.

- a) A statement of how the rules will be enforced needs to be set out, including how they will be enforced, who will be enforcing, and what happens if fines are unpaid. The rights of entry to private property need to be clarified and a complaints and appeal policy must be set out. The proposed changes will result in infringements being challenged.

Quotes from submitters

[H]ow do you enforce this? And who is going to police it? Do you have the right to go into private property?

Fines are a good idea only if they can be collected. How enthusiastically will the perpetrators be pursued? What are the escalation procedures? Otherwise, people won't pay.

How will the fines be enforced if the apiarist refuses to pay?

There is no merit in making infringement threats if there is no express intention to enforce the proposed rules. There is no discretion in what is proposed so that the rules may be enforced fairly.

If there are ever any fines, there must be a legal process to appeal any injustices.

- b) Proposals should be implemented in a fair and measured way and there was a concern there could be conflicts of interest in the issuing of fines.

Quotes from submitters

Allow common sense to guide you for character of the beekeeper and how hard you enforce. 95% are good so don't let the 5% ruin it.

In general, I support getting more serious about AFB, but I detest fines, red tape and unnecessary compliance that does not add value. Please make these decisions carefully.

The AP2 and other delegated inspectors are usually other beekeepers and therefore have a conflict of interest in any inspection of other beekeepers' hives. This will only end up with infringements being challenged.

There is no leeway in what is proposed and there may be circumstances that are mitigating. There is one local AP2 who is notorious for [starving] hives causing bees to rob out other hives in the locality. This is of greater concern than an odd instance of AFB in our view.

15. Proposed penalties for breaching the 'Annual Disease Return' and 'Certificate of Inspection Rule' are harsh and difficult to comply with.

- a) Proposed penalty for breaching 'Annual Disease Return' is harsh as mistakes are easily made.

Quotes from submitters

Annual Disease Return is now on live hive numbers, and this is very hard to establish on a given date and there is the likelihood of an honest error, which should not carry a fine.

ADR should be finable only after a reminder. Fees for corporation [are] way too high for a site not reported as if only to miss or simple mistake after moving hives.

- b) Proposed penalty for breaching 'Certificate of Inspection' (COI) Rule is harsh and it can be difficult to locate an inspector to obtain a COI.

Quotes from submitters

Some, like me, are living in rural areas find it extremely difficult to locate a DECA to do a COI in my 2nd [year]. I don't believe I should be penalised for being rejected by a DECA's that are turning me down for inspection.

It is not easy to get someone to check your hives as a [hobbyist] so fining for this is a bit harsh.

With low hive numbers, it is difficult to find a DECA holder who is prepared to travel any distance to carry out annual hive inspections. Is it possible for the Management Agency to subsidi[s]e inspectors?

16. Pollinating hives should be exempt from the ‘prohibition on keeping bees in a place other than an apiary’ rule as it’s impractical to comply. Pollination hives may be on an orchard for more than 30 days. There was also a contrary view that the registration period should be shorter.

Quotes from submitters

Beekeepers doing avocado and possibly blueberry pollination can have hives placed in those orchards longer than 30 days, these should be exempt from the registration requirements.

Occasionally hives are kept in an orchard in many locations for pollination, for more than 30 days. Why should we be prosecuted?

Should this not be a shorter duration, and a larger fine? With the numbers of hives commercial outfits have on overwintering sites, I doubt a few hundred dollars is going to be a deterrent, unless it was per hive.

7 days unless there are mitigating circumstances such as weather.

I still think that registering an apiary first before putting colonies in that apiary would be a better rule to prevent the disease from spreading. 30 days is just too long and can easily be used for chasing the honey flow without ever registering the site. And then what...the agency would never know if there have been any colonies in that apiary.

On pollination clover and brassica (oilseed rape) sites, hives can be on site longer than 30 days and anything up to 5 or 6 weeks subject to weather conditions. In this time the hives will have a crop on! What happens to the honey produced as it has no traceability if AFB is detected in the apiary after they have been moved to some other location.

[One] problem with the 30-day registration time limit is with a pollination contract some avocado orchards require hives to be in for greater period of time than that and at the work involved for beekeepers at that time of the year makes it impracticable to register hives in orchards.

17. It isn’t always feasible to destroy hives within seven days as required by the existing rule ‘obligation of beekeeper to destroy honeybees and materials’. It can be a problem if there is a fire ban in place, or adverse weather conditions, or it’s a remote site. Burning plastic hives is also a problem.

Quotes from submitters

[N]eeds to allow for mitigating circumstance e.g., as soon as possible, preferabl[y] with[in] 7 days to allow for weather, council requirements, access etc.

There can be a problem with burning the hives if there is a fire restriction in place, but the hive owner should prove they have cling wrapped all items until they can burn them.

Destroying hives within 7 days is sometimes impossible due to a lack of places to burn, also some fire restrictions don't allow it, if hive is sealed and placed out of the way when you are busy it should be OK, we have managed to destroy the odd hive we have found but burning hives in our back yard with plastic frames is becoming a worry.

With the 7 Day destruction Criteria should be changed to earliest for example Weather Conditions i.e., rain, wind.

7 days is impossible in summer fire ban when site is remote bush site, won't work will fail legally.

7 days is not lot of time to manage as a hobbyist if working full time. Rainy season in AKL makes it hard to manage as well. Doesn't need to be an offence because of the short time given to remedy. Likelihood to go over the 7 days is high. Should be different rules for hobbyist and commercial beekeepers.

h. Preferences for proposed powers to implement the AFB Plan (questions 20–21).

It was proposed that the Management Agency and authorised persons are conferred two new powers under the Biosecurity Act 1993 to implement the AFB PMP. Questions 20–21 ask whether these proposals are supported.

Question 20. Response to proposal that authorised persons have the power to destroy AFB infected beehives and take actions to prevent the spread of AFB.

This new proposed power is referred to as ‘General powers’ and enables authorised persons (AP1s) to destroy beehives infected with AFB and take actions to manage any serious risks that lead to further spread of AFB.

Preferences aggregated

Overall, 84% of submitters agreed or strongly agreed with the proposed change as shown in Table 37 below. For Māori business submitters, 86% (6) supported this change.

Table 37. Responses to proposal that authorised persons (AP1s) are conferred ‘General Powers’.

Answer choices	Number of answers	% Answers *
Strongly agree	112	41%
Agree	117	43%
Neither agree or disagree	15	5%
Disagree	12	4%
Strongly disagree	19	7%
TOTAL	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 38 below.

More than 56% of submitters in all hive ownership size cohorts agreed with the proposed change.

Agreement ranged from a low of 56% agreement from submitters who owned 251–500 hives to over 90% agreement from owners of 6–250 hives.

Table 38. Responses to proposal that authorised persons (AP1s) are conferred ‘General Powers’, by number of hives owned. ⁴⁸

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree nor disagree		Disagree		Strongly disagree			
	number	% *	number	% *	number	% *	number	% *	number	% *	number	% *
1–5 hives	58	39%	71	48%	8	5%	6	4%	6	4%	149	100%
6–10 hives	15	54%	11	39%	1	4%	1	4%	0	-	28	100%
11–50 hives	11	42%	13	50%	1	4%	1	4%	0	-	26	100%
51–250 hives	6	35%	10	59%	0	-	0	-	1	6%	17	100%
251–500 hives	6	37%	3	19%	1	6%	2	12%	4	25%	16	100%
501–1000 hives	6	40%	5	33%	1	7%	1	7%	2	13%	15	100%
1001 hives +	8	47%	2	12%	2	12%	0	-	5	29%	17	100%
Not Applicable	1	17%	2	33%	1	17%	1	17%	1	17%	6	100%
TOTAL	111	41%	117	43%	15	5%	12	4%	19	7%	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

⁴⁸ This table has been generated by combining responses to Consultation Question 2 (‘how many hives do you own?’) and responses to Question 20. As such, the count of submitters is slightly lower from those shown in Table 37, as there were skips to Question 2.

Question 21. Response to proposal that authorised persons have the power to use detector dogs to find AFB if the scientific community confirm that detector dogs are effective.

This new proposed power is referred to as ‘Use of dogs and devices’.

Preferences aggregated

Overall, 77% of submitters agreed or strongly agreed with the proposed change as shown in Table 39 below. For Māori business submitters, 71% (5) supported this change.

Table 39. Responses to proposal that authorised persons have the power to use detector dogs.

Answer choices	Number of answers	% Answers *
Strongly agree	90	32%
Agree	125	45%
Neither agree nor disagree	27	10%
Disagree	14	5%
Strongly disagree	19	7%
TOTAL	275	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

Preferences by number of hives owned

There was a difference in support by number of hives owned as shown in Table 40 below.

The level of agreement ranged from a low of 47% agreement from submitters who owned 1000 or more hives, hives, to over 80% agreement from owners of 1–10.

Table 40. Responses to proposal that authorised persons have the power to use detector dogs, by number of hives owned. ⁴⁹

Number of hives	Answer choices										Total	
	Strongly agree		Agree		Neither agree or disagree		Disagree		Strongly disagree			
	number	% *	number	%*	number	%*	number	%*	number	%*	number	%*
1–5 hives	54	36%	75	50%	10	7%	4	3%	6	4%	149	100%
6–10 hives	14	50%	10	36%	1	4%	2	7%	1	4%	28	100%
11–50 hives	8	31%	10	38%	5	19%	2	8%	1	4%	26	100%
51–250 hives	3	18%	9	53%	4	24%	1	6%	0	-	17	100%
251–500 hives	4	25%	5	31%	1	6%	1	6%	5	31%	16	100%
501–1000 hives	2	13%	8	53%	2	13%	1	7%	2	13%	15	100%
1001 hives +	5	29%	3	18%	3	18%	2	12%	4	24%	17	100%
Not Applicable	0	-	4	67%	1	17%	1	17%	0	-	6	100%
TOTAL	90	33%	124	45%	27	10%	14	5%	19	7%	274	100%

* Percentages have been rounded so totals may not exactly add up to 100%.

⁴⁹ This table has been generated by combining responses to Consultation Question 2 ('how many hives do you own?') and responses to Question 21. As such, the count of submitters is slightly lower from those shown in Table 39, as there were skips to Question 2.

i. Key themes – proposed new powers

Proposed General Powers

As shown above, proposals for the new powers weren't supported by all submitters. Some submitters provided written comments about their reasons for objecting as summarised in the table of key themes below.

KEY THEMES FROM THE SUBMISSIONS—PROPOSED GENERAL POWERS ⁵⁰
<p>18. A clear decision-making process for authorising hive destruction is needed, covering evidence criteria, items to be destroyed, and timeframe. Evidence of AFB infection must be robust. More detail is needed about 'General Powers'.</p> <p>a) The assessment and decision-making process for destroying hives and items needs to be clearly set out and communicated. Some aspects of the proposed rule 'General Powers' need more detail and clarification.</p> <p>Quotes from submitters</p> <p><i>Total lack of detail that define[s]the limits of the proposed new powers.</i></p> <p><i>I would like to know about the process and the involvement of the hive owner before agreeing to just burn hives.</i></p> <p><i>Very strongly agree that AFB hives be destroyed but a need for an actionable plan with proactive action and input from beekeeper for those struggling with AFB. Need for much more regular inspections, quarantine etc to avoid the need for complete destruction of beekeeper's hives.</i></p> <p><i>[The proposed powers] need to be corroborated with enough evidence so that the action cannot be overturned in court, or an acceptance to be made that punitive damages can be awarded if the AP was wrong/misused powers.</i></p> <p><i>The power re taking action to prevent the spread of AFB needs to be clarified.</i></p> <p><i>This should read!: This power enables the authorised persons (AP1s) and (AP2s) under instruction from AP1s) to destroy beehives infected with AFB and take actions to manage any serious risks that could lead to further spread of AFB.</i></p> <p><i>There are too many variables on this suggestion. E.g., as what is the time frame given before the hives are destroyed and cost passed on; only AP1[s] are to destroy hives? There are many ways to train people that aren't good with their bee skills.</i></p>

⁵⁰ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

I cannot answer agree or disagree with Q20 as the actions that are proposed are not stated, and there is no clear complaints process to accompany the new power.

- b) AFB infections should be confirmed by laboratory tests before hive destruction is authorised by the Management Agency. Evidence collected should be robust and hold up in court.

Quotes from submitters

Every step must be taken to confirm that the hives have AFB before destroying them as this could have far reaching impacts. There needs to be proof (photos, lab tests etc) and this should be kept on record.

AP1s have never even necessarily found AFB before. If they have the power to destroy hives, then should ALWAYS have a lab test taken to confirm.

There needs to be a robust process when it comes to the destruction of people's assets, that is not pushed through under urgency. So long as the infection risk is mitigated.

- c) Beehives and items for destruction must relate to identifiable beehive infections and it should be clear what needs to be destroyed. Action should be sufficient to eliminate AFB from an apiary but not more than is necessary.

Quotes from submitters

Principal measure 4's description is too general and is therefore open to interpretation and abuse. It needs to be worded so that the effects being destroyed are directly and specifically relate to each individual beehive infection, and both the beekeeper and person enforcing the rules are clear on what they must do. The AFB infections must be destroyed and managed into the future, but collateral damage when it comes to destruction must be minimised.

Secondary Objective #3: Eliminate AFB in beehives by destroying any AFB cases and associated bee products and destroying or sterilising associated appliances. I have not seen any detailed instructions on this. I suspect that people will want to save as much material/gear as possible and by doing that keep AFB in their operation. I would like to see prescribed procedures clearly spelled out.

I think the term [destroying] equipment associated with an AFB hives needs to be discussed in more detail.

19. Hive destruction has serious impacts on owner livelihoods and owners must be involved.
Destruction is not the only answer.

- a) Decisions and actions to destroy hives have significant implications for beekeeper livelihoods. Owners must be involved in the process as much as possible and informed if any action is taken to destroy their hives.

Quotes from submitters

The Agency cannot give inspectors the power to destroy beekeepers' property, no matter what the reasons are.

Someone having the right to destroy another's property should be a very last resort over the owner doing it themselves.

[T]he power to come onto some one's property and destroy may well cause physical confrontation and/or the destruction of healthy hives.

Destruction should always be in consultation!! Current status of only AP1 able to order destruction allows for discussion, education, and appropriate action. Sometimes with extensive PMS it is difficult unless very experienced to determine correctly the difference. Commercial beekeepers are more likely to be able to carry out this differentiation as they are dealing with this situation regularly, part time AP2[s] are not. Destroying without knowledge of the owner is nonsense.

Hive owners must be told about their hives being destroyed and have the opportunity where possible to be part of the process.

[N]othing should be burnt until the beekeeper is present as some of the AP1s have limited experience.

I strongly object to APs being given further powers to destroy AFB infected material and any other material to prevent the spread. Destroying AFB infected material on someone else's property is an issue when the AP is not the person that has the agreement for hives to be situated on that property. Digging a hole to burn when it is not your property could create a whole can of worms with respect to the landowner being unhappy about an unknown person on their property destroying something that does not belong to them.

- b) Destruction is not the only answer. Commercial beekeepers value the ability to sterilise equipment to minimise loss and manage AFB risk.

Quotes from submitters

Paraffin dipping boxes can be very effective when done correctly. Destruction is not the only answer. The current regulation is not to destroy by burning all equipment. Get your facts right.

[W]hat about beekeepers who have a DECA that allows them to paraffin dip their equipment—does this mean they will be fined if they have not burned equipment that they were previously able to sterilise?

Question 18 suggests that a beekeeper who has written in their DECA that they will sterilise equipment will no longer be able to do so. For a commercial beekeeper, the ability to be able to sterilise is important to minimise the loss as much as possible without creating ongoing AFB issues.

[D]id I hear about some other measures to disinfect the hive box, rather than destroy it. It should be included in the action.

20. Powers of Authorised Persons are too far-reaching.

- a) Authorised Persons may have too much power, may not use this power appropriately, and may have conflicts of interest.

Quotes from submitters

I view this provision of the Act in relation to s114 as giving free rein to an AP to do anything he wishes, including the destruction of hives and associated equipment that do not necessarily show clinical signs of AFB. The granting of the powers of s 114 to an AP will leave any judgement solely over to the AP, and it appears without recourse from any person affected by his decision ... It seems pointless to set up a complaints procedure as indicated if the action is likely to have been initiated well before a written complaint is received by either of the organisations or the Minister that has been portrayed as having a process to deal with this sort of issue.

AP changes are of concern. There is no clarity as to what is fair and reasonable when exercising their authority to destroy a beehive(s).

*Extending to APs the general powers of the Biosecurity Act, including the power to destroy equipment and bees on suspicion of AFB. This is oppressive. Without a clear and workable review and appeal mechanism able to be reasonably accessed by beekeepers before hives or equipment is destroyed, confidence will be eroded, litigation will result, and resources will be devoted to ostentatious but ultimately irrelevant measures: **the objective is to control AFB, not to control beekeepers** [submitter's emphasis].*

The proposal appears to be an ouster clause, in that the affected parties cannot appeal the process. It is a core tenet of our legal framework that the affected (more vulnerable) party [is] able to either appeal or have a decision reviewed. This change extends the powers of the AP to take measures to eliminate AFB beyond the current authority. Again, I would argue that for a hobbyist where this affects just a couple of hives at most in an urban setting—the impact of this change on a commercial beekeeper is significant. Therefore, this change has the potential to have a significant economic impact, and therefore, this proposal needs more consultation—and especially with commercial beekeepers.

I don't think beekeepers burning other beekeepers' hives would be an acceptable idea to people that have had most of their lives in the industry, it will lead to a serious conflict of interest.

There are apiary inspectors out there that aren't particularly professional, this makes beekeepers nervous about what conclusions they may draw when it comes to the beekeepers' assets, potentially where only minor or few AFB cases are found and managed.

There is NO independent disputes tribunal where complaints and disputes can be heard... There are NO safe guards in place or accountability for redress should an Authorised Person be given full powers with the Act, once something is burnt there is no evidence.

AP2s should not have the power to destroy hives unless asked to by the hive owner and then the hive owner should be invoiced accordingly.

I do not consider ApiNZ as the Management Agency should be granted the use of general powers of the Bio Security Act. There are NO safe guards in place or accountability for redress should an Authorised Person be given full powers with the Act, once something is burnt there is no evidence.

AP2s should not be allowed to burn hives.

I do not support authorised persons burning AFB as there has been AP1 persons who I would not trust and who have conflicts of interest with having beehives in an area where they are checking another beekeeper's hives.

I strongly object to APs being given further powers to destroy AFB infected material and any other material to prevent the spread. Destroying AFB infected material on someone else's property is an issue when the AP is not the person that has the agreement for hives to be situated on that property. Digging a hole to burn when it is not your property could create a whole can of worms with respect to the landowner being unhappy about an unknown person on their property destroying something that does not belong to them.

Some of the AP2s are very inexperienced.

21. Safeguards needed to protect beekeeper rights, including complaints, reviews, and appeals processes.

- a) There is not enough detail about the limits of the proposed new powers and lack of safeguards against the abuse of such powers. There was concern that property rights would be violated. A clear complaints and appeal policy, and legal process, needs to be set out.

Quotes from submitters

The Management Agency should NOT be granted the use of the General Powers of the Biosecurity Act because there are no safeguards that the actions of an Authorised Person are reasonable and necessary in all circumstance[s].

[T]he lack of robust appeal and review mechanisms for individual beekeepers facing compliance action is just abusive, and likely to be vindictive as the MA picks off beekeepers whose opinions (rather than

their beekeeping conduct) is found unwelcome. This is important: beekeepers can be opinionated and unruly, but that doesn't make them wrong, or bad at beekeeping.

[W]here is the second opinion coming in? Some of the AP2s are very inexperienced beekeepers and it is very easy to mix up Sac Brood, AFB and DWV and these inexperienced AP2s, many with very few hives, should not be allowed to burn beehives.

Proposed Use of Dogs and Devices

As shown above, proposals for the new powers weren't supported by all submitters. Some submitters provided written comments about their reasons for objecting as summarised in the table of key themes below.

KEY THEMES FROM THE SUBMISSIONS—PROPOSED USE OF DOGS AND DEVICES⁵¹

22. No need for this power. Dogs are unreliable and the detection of AFB by dogs should never be the basis for hive destruction. There are better methods such as qPCR testing. If used, AFB detection should always be confirmed by visual and/or laboratory testing. Dogs aren't always welcome.

- a) This is an unnecessary proposal and should not be introduced without proof of concept or efficiency. Clarity about who are the scientific community is needed.

Quotes from submitters

I don't believe the scientific community will agree that they are effective in detecting AFB accurately as there are so many confounding factors.

And surely the power to use detector dogs should only be introduced if the science supports it first? It's not an entirely novel concept but why not do the trials and then consider how best to use the tool—dogs can sniff out bladder cancer in humans but it's simply not useful at a practical level. To introduce a 'power' without proof of concept or efficacy is wanton misuse of power.

Dogs have not been proven. Wait until you have more evidence to support this please.

The section on Dogs needs to be removed as it is unlikely that legal powers will be needed. If they are to be included, then perhaps qPCR should be added as well.

Scientific community needs to be defined. It has no clear meaning.

⁵¹ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

Animals and bees don't go together, and the scientific community don't need another worthless project on this topic.

This is too vague and needs more detail on the proposed changes. There are already existing powers available. "If the scientific community supports it..." Exactly who? What tests have been done to support [their] use and repeated efficiency to support the destruction of someone's hives. Is the sample size of the tests sufficient, ha[ve] findings been peer reviewed. There's too much variability in the detection to rely on as a basis of evidence for destruction. Each dog is different. Sure, they can be used as a tool, but destruction should only be after visual examination.

Definition of "devices" is lacking and needs clarification and further consultation before whole sale abuse of power is used as is evidenced in many [industries], basically we are not going to write you a blank check.

With dogs, it will be too complicated on farms and places where there are other dogs and also a potential risk of spreading diseases with them. Also, it will require a lot of science still to prove if it works. Dogs are [easily distracted] by other smells and wind drift could be a problem. I want to see some good science first, which is quite costly to do. And if the dog finds AFB the colonies need to be all inspected anyway.

- b) Some considered dogs are unreliable, can make mistakes and give false positives.

Quotes from submitters

Any use of dogs needs to be supported with a valid certificate of detection accuracy. We can't afford cases of misdiagnosis and the financial ramifications.

Many working with the AFB dogs are aware of their shortcomings; however, I did not hear any discussion during the consultation process I went to about the shortcomings.

Dogs are [easily] distracted] by other smells and wind drift could be a problem. I want to see some good science first, which is quite costly to do. And if the dog finds AFB the colonies need to be all inspected anyway.

To be clear, AFB dogs are not the same as drug dogs or even explosive detection dogs. Environmental variability is concerning, and given ... the discussion of budget constraints—would investments in AFB dogs be wise?

Better things to use than dogs. I imagine dogs would be more expensive with training, feeding etc, and not as reliable.

Detector dogs are so sensitive that they can detect recently sterilised hot dipped floorboards, if the sterilised equipment is re used and the dog [identifies] as positive, [does] this hive need be destroyed?

[Too] many practical problems with dogs and bees for them to be any use in the field.

Dogs have also been known to indicate on soil where 3-year-old AFB spores are present and are therefore unreliable in commercial apiaries where migration is common.

- c) Some considered there are better detection and testing strategies. Some considered qPCR testing was at least as useful as dogs to detect AFB, or even better.

Quotes from submitters

The PMP has however recently adopted the use of [qPCR] to identify spore levels and used them to destroy equipment, however this research has not been published yet they won't look at AFB trained sniffer dogs until this technology have been peer reviewed and published (double standards) ...

I think dogs are a moot point. I don't believe the scientific community will agree that they are effective in detecting AFB accurately as there are so many confounding factors. I believe this to be a significant waste of resources; "barking up the wrong tree" if you will. qPCR swabs and honey screening would be a much better focus in my opinion.

Better things to use than dogs. I imagine dogs would be more expensive with training, feeding etc, and not as reliable. qPCR I think should be the tool used to get on top and find high risk hives and sites.

The section on Dogs needs to be removed as it is unlikely that legal powers will be needed. If they are to be included, then perhaps qPCR should be added as well.

Dogs don't work. Use qPCR instead.

- d) Dogs can be used as a tool to indicate the presence of AFB, but these indications are not a basis for destroying hives. There was concern that if a dog detected AFB, this could be a basis for an Authorised Person to destroy hives. Destruction of AFB hives needs to be based on visual inspection.

Quotes from submitters

There's too much variability in the detection to rely on as a basis of evidence for destruction. Each dog is different. Sure, they can be used as a tool, but destruction should only be after visual examination.

[If dogs can] detect low spore counts within hives without clinical symptoms there needs to be more information around how any positive indications from the dogs will be managed and what the expectations are.

Detector dogs can potentially detect sub clinical AFB. AFB needs to be visually identified to require destruction of infected hives, this method is effective and should not change. The only way to get on top of AFB is for the MA to have people on the ground inspecting apiaries where appropriate.

As long as the "detection" by the dog is confirmed by examination of the selected hive.

All in favour of using AFB dogs but if AFB is found by dogs it must be backed up with test results of positive AFB.

Dogs as yet are unproven as are spores therefore are good indicators of maybe a potential problem however there is [a lot] ... still to happen to confirm. Clinical signs must remain the objective other methods of detection can assist.

- e) Dogs will not be welcome on all properties and should only be used if the owner agrees. Dogs are a risk to farm livestock, and during lambing.

Quotes from submitters

With dogs, it will be too complicated on farms and places where there are other dogs and also a potential risk of spreading diseases with them.

Dogs, as yet are unproven as are spores ... Clinical signs must remain the objective other methods of detection can assist.

No dogs during lambing.

I have no problem with anyone using dogs but not on our hives unless we 'personally' agree to it.

With dogs, it will be too complicated on farms and places where there are other dogs and also a potential risk of spreading diseases with them.

23. Trained dogs may prove to be effective at detecting AFB. This proposal should include provision for both the dog and the dog handler to inspect hives.

Quotes from submitters

I strongly believe that the use of sniffer dogs if proven scientifically to be successful will be a game changer along with [qPCR] spore testing of honey will identify beekeepers/business [...] and allow the Management Agency to best target resource to those areas.

I totally agree that technology and the use of tools like dogs should be used. Dogs are extraordinarily reliable at detection and once trained should enable a quick and cost-effective means of detecting AFB. There will undoubtedly be other technologies able to readily detect AFB and the use of these should be promoted for both the beekeepers and compliance staff.

Suggested amendment to the proposed power as currently written: for a "dog and handler" to accompany an AP2 on to private property rather than "AP2 dog handlers". Handlers require special training to keep these dogs constantly tuned in and spores need to be available for them to train on.

Detector dogs can potentially detect sub clinical AFB. AFB needs to be visually identified to require destruction of infected hives, this method is effective and should not change. The only way to get on top of AFB is for the MA to have people on the ground inspecting apiaries where appropriate.

I think the ideal of detector dogs absolutely has merit, but if they are able to detect low spore counts within hives without clinical symptoms there needs to be more information around how any positive indications from the dogs will be managed and what the expectations are.

j. Key themes – overarching views

Some submitters provided feedback on their overall views of the related issues and proposed changes. These views are summarised in the tables of key themes below.

KEY THEMES FROM THE SUBMISSIONS—OVERARCHING VIEWS ⁵²
<p>24. AFB should be detected very quickly before it spreads, and qPCR tests are an effective tool for early detection. Too many DECA holders are failing to detect, report, and/or eliminate AFB. Non-compliant beekeepers need to be targeted.</p> <p>a) AFB should be detected early, before it can spread. We need to get ahead of outbreaks rather than just responding to them. The use of qPCR tests is an effective tool.</p> <p>Quotes from submitters</p> <p><i>All beehives should be monitored often enough that AFB is always detected before colony collapse. The beekeepers and companies whose practices do not align with this objective should be stripped of their right to care for beehives and financially penalised harshly.</i></p> <p><i>... most of the activities of the strategy has been about finding and destroying AFB hives before beekeepers can create new ones, rather than trying to decrease the rate which AFB spreads in commercial beekeeping operations.</i></p> <p><i>The basic flaw in the AFB program[me] is that it only activates after the disease is found then you are chasing an outbreak. [I]t needs to be found before it reaches clinical levels. A qPCR test can do this very simply.</i></p> <p><i>The goal of the American Foulbrood National Pest Management Plan is to eliminate American Foulbrood in managed colonies. From my perspective this will never be achieved when you have to wait until clinical infections occur before you manage the disease... Our group has shown that by using qPCR you can see the quantity of AFB DNA that is in a hive and make decisions on how to manage that hive based on the risk of a clinical infection developing.</i></p> <p><i>The southern beekeepers' discussion group has clearly proven how [effective] qPCR is at finding AFB before it is clinical and infectious. They have compared it to dogs and the dogs were found to be unreliable. qPCR is the future and as tech advances it will only get better and more affordable. In the next 10 years qPCR will be so far advanced and the management agency will regret not putting it in the PMP. qPCR should not replace visual inspection, but it is definitely a better tool than a Dog. And</i></p>

⁵² Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

cheaper... Also, it could become a requirement when selling hives, the options are endless, and it would be silly not to use it.

Some of the reason why the AFB rate has not diminished over the last 25 years can be laid at the feet of the PMP Board. As a cost saving measure, they cut out the free testing of suspect samples. There are times when even commercial beekeepers weren't sure of what they were seeing and sent samples in and within a week or two, received confirmation as to whether the sample was positive or negative. 50% of the samples sent in were for an ERIC II type of AFB which the PMP does not include in it[s] training courses. A hobbyist is unlikely to have a suspect sample tested due to the cost and will wait for the clinical sign to be visually apparent and so by this time, the disease could have spread up to one kilometre away ... Using old techniques, by just leaving the disease to show again in an apiary is just providing "jobs for the boys". European countries treat the whole apiary after a hive has shown clinically and this reduced the spore loading in all hives in that apiary.

- b) Many DECA holders are failing to detect, report, and/or eliminate AFB.

Quotes from submitters

[I'm] astounded when I read all the areas and many who have their Deca and don't pick up [on] AFB, or just don't care, and beekeepers unregistered it goes on and on, disgusting. The law must toughen up like the Ministry of Fishing with a hefty fine! To rid AFB.

...some beekeepers may be getting away with a larger AFB problem by simply reporting low numbers rather than no AFB to avoid being looked at more closely.

The incidence of AFB has not decreased over the past 10 years as per the aim of the PMP. There are a number of larger 3rd generation beekeeping businesses that still chase AFB round their beekeeping operations on an annual basis. The Operations Plan appears to give no scrutiny to beekeepers as long as their reported AFB levels are kept under 10% of hives. How are these beekeepers meeting the reduction target of 5% per annum? Is there a review of their management practices undertaken whereby the beekeeper and the agency review and possibly alter the terms of the DECA the beekeeper operates under?

The existing AFB PMP says beehives should be inspected at least once per year by a competent person. This is an oxymoron. If a beekeeper is only inspecting for AFB once per year, they are being incompetent. This should be increased to at least twice per year, Spring and Autumn.

I also believe that only getting a DECA holder to check once a year for AFB in a non DECA holder's hive/s is not sufficient as they may not show signs and then 6 months later, they may and at that time get robbed out. ... As a commercial beekeeper who [has] done the DECA training, and the staff have also we check each hive of up to 2000+ hives depending on the season at least 8 times per season for AFB otherwise you simply cannot stop the spread of this disease.

- c) Non-compliant beekeepers operate outside the rules and should be targeted. Build strategies to find and penalise unregistered beekeepers and unregistered apiaries, rather than making things harder for those who largely do comply.

Quotes from submitters

...we need the power to resolve beekeepers existing outside the regulations with AFB hives.

I like all the rules. But I still see bee keepers ignoring the rules and doing what they like and getting away with it. Putting us all at risk.

We should incentivise the industry rather than fines and penalties. Repeat offenders are less [than] 5%, easy to identify [and] track and they should be the ones focused on.

Still [focused] on elimination which is fantasy ... Where is the pursuit of the unregistered beekeepers and random hives. Many hobbyists couldn't find AFB if it was coloured flour.

I wish you would come down a bit harder on the bee keepers who continually don't register their hives and put us all at risk.

Can you put more resources into identifying (and compulsorily removing?) unregistered apiaries and prosecuting those beekeepers who do not choose to comply with the AFB PMP rather than potentially fining those who (largely) do comply.

The Management need to target bad beekeepers, not penalise good ones. The risk is you will piss off good people.

I propose that only registered beekeepers be allowed to buy bees. There are too many unregistered beekeepers, and backyard beekeepers who do not manage their hives properly or treat properly for varroa, let alone know anything about AFB.

What powers are there that allow access to unregistered hives to monitor/inspect/observe so that the unregistered bee keeper can be contacted. Equally the property owner—does the Agency have the power to impose penalties for having unregistered hives on their property.

Don't be afraid to ruffle a few feathers, as the ones [o]pposing bigger fines or punishments have something to hide. Also, I wonder if some beekeepers may be getting away with a larger AFB problem by simply reporting low numbers rather than no AFB to avoid being looked at more closely.

I have had three notices of AFB found within 2 kms of me in the last couple of weeks. I am a hobby beekeeper living amongst other lifestyle blocks. AFB is rampant in the area because I believe the beekeepers exist outside of the regulations. I have had my apiary wiped out twice in prior years from robbing bees with AFB. Nothing is registered. No inspections are completed. Toughening the rules will not reach these beekeepers. There needs to be a surveillance process that kicks in when there are repeated incidences of AFB found within an area to find the non-compliant apiaries and resolve the problem.

25. Overall, the proposed changes are heavy-handed, won't work, and are costly. The incidence of AFB will increase during these difficult times for the industry, and these proposals will make things harder. There is an argument both for and against compensation for destroyed hives.

a) The proposals are heavy-handed and focus on penalties rather than education.

Quotes from submitters

Conferring extra powers and fines is bureaucracy and not creative thinking about the problem. Parking fines do not stop people parking incorrectly and pretty much everyone hates parking wardens.

You have to get the beekeepers supporting the PMP, not being [ordered] about by unnecessary rules, as they will rebel against the PMP.

Rules and more rules just make it harder and more costly for beekeepers already trying to make the system work.

Police like tactics will not work, you are taking the responsibility away from the beekeeper, this has been proven in many fields to be ineffective.

Work with small backyard beekeepers, make it simple, minimal cost... compliance rules, costs and charges aren't going to work, people will no longer register their hives, it's too costly for small beekeepers. You will end up with just the large beekeepers registered and the backyard beekeepers with the hives unregistered and not checked. The big stick mentality will never work.

...the drive to introduce new penalties and compliance requirements is untested against the obvious alternative, a greater focus on education and support.

Go back to the basics and start making the AFB agency work for the money they receive from levies—this is hard earned money and beekeepers need to see that they are actually achieving results.

The regulatory approach being canvassed by the MA is so unworkable that it will end in recrimination, and possibly in litigation. It certainly won't help beekeepers, and it won't help control AFB.

Trying to add more compliance to justify [increasing] levies.

Why are you finding new ways to make beekeeping harder and more costly instead of improving the quantity and quality of inspectors?

The Management need to target bad beekeepers not penalise good ones. The risk is you will piss off good people.

Feels like New Zealand is becoming a place full of controlling measures.

- b) The incidence of AFB will rise as the growing financial pressures on beekeepers lead to under-reporting and abandoning hives. The proposed changes to the AFB PMP increase costs for beekeepers at time when the industry is already struggling.

Quotes from submitters

With the number of beekeepers currently under intense financial pressure neglected and poorly managed hives will become a major problem as it was when I started beekeeping through the 1970[s]–80s; this combined with 'some' Beekeepers and Corporate's (in my opinion) questionable management practices leads me to believe things are going to get a hell of a lot worse before they get better.

The increase in fees per hive has the potential [to] drive more beekeeper[s] to not registering or hiding hives to keep their cost down during periods of low income i.e., now.

The compliance costs to administer will keep growing & force more beekeepers out of an already struggling industry.

There appears to be a lot of unregistered hives throughout NZ. Making legislation and fines, compliance costs is forcing people not to register hives and keeping them hidden.

The associated increased surveillance costs for this new strategy will put most struggling beekeepers out of business who will then abandon hives which will increase the incidence of AFB. Who will pay for these costs?

We are at a time in the industry in which beekeepers are abandoning apiaries too often as financial pressures increase. I believe the penalties for abandoning hives should be greater than the cost of transferring said hives into the care of an experienced beekeeper.

I believe AFB instances will increase over the next three years as beekeeper[s] leave the industry through bankruptcy, failing to treat varroa due to the high costs and abandoning hives.

It is going to make for a sharp increase in administration and not very practical.

It will add even more costs to an Industry already struggling with costs.

- c) Compensation for beekeeper losses due to hive destruction should be considered. There should be compensation for hives that are destroyed based on an incorrect assessment by the Management Agency. However, it was also argued that compensation never has been, and still isn't, an appropriate strategy for ensuring compliance.

Quotes from submitters

There have never been effective arguments made in favour of compensation for AFB infections.

There was never a "bargain" linking AFB identification methods and compensation in any way whatsoever ... If AFB hives and/or equipment is identified using reputable tests, such as the Foster Test, there has never until now been argument to say that compensation must be payable, and certainly not because of the "bargain's" mandate.

[Destruction of beehives posing a risk] venture[s] into the realms of the Biosecurity Act and not the AFB Regulation[s] and therefore because hives and gear may not [show] a clinical infection when destroyed, compensation is payable, similar to that of M. Bovis. The PMP will need good testing results using peer reviewed technology to do this. (Presently they are acting without this level of assurity.)

Too bureaucratic again, who will compensate the beekeeper for incorrect assessment of AFB in their hives. Too much power given to AP1s who do make mistakes.

26. Costs of the proposals fall most heavily on commercial beekeepers, but hobby beekeepers have the biggest say. Proposed changes need to recognise differences between the two groups.

- a) Commercial beekeepers make up the minority of beekeepers but are the most impacted by the proposed changes. Proposed changes increase transactional costs and risks for commercial beekeepers, and this hasn't been properly identified and considered.

Quotes from submitters

... this must be the only such organisation where [hobbyists] who have no major investment in the industry can hold the power to make changes that commercial beekeepers do not agree with.

The majority of the beekeepers in New Zealand are hobbyists, but I argue here that the impact of the changes will be mostly felt by the commercial beekeepers (who are the minority) ... commercial beekeepers lack the power to persuade the Management Agency (AFB) the proposed changes are detrimental to their business activities.

- b) The market requirements for honey are a strong lever for commercial operators to eliminate AFB, however these are not incentives for hobby beekeepers. Different strategies may be needed to target hobby beekeepers.

Quotes from submitters

Commercial beekeepers will conform to AFB elimination because they won't be able to sell their honey if they have AFB. This alone will regulate commercial operators. The problem is going to be [hobbyist] beekeepers.

I'm not sure that one size fits all. There are differences between commercial and hobbyist beekeepers, but you are saying that the same rules apply to both.

k. Key themes – management structure and review process

Feedback on the Management Agency and the AFB PMP Review Process

Some submitters provided feedback on their overall views on the management of the AFB Plan and the review process. These views are summarised in the tables of key themes below.

KEY THEMES FROM THE SUBMISSIONS—VIEWS ON MANAGEMENT AGENCY AND REVIEW PROCESS ⁵³

27. The Management Agency should be representative of beekeepers and independent from ApiNZ. The levy is not well spent, and the levy structure doesn't work well.

- a) The Management Agency should be directly accountable to beekeepers and independent of ApiNZ. Some consider the Management Agency should be replaced or dismantled.

Quotes from submitters

The AFB PMP should be under the umbrella of MPI with independently elected people from the wider beekeeping industry, NOT ApiNZ. The Management Agency should NOT be doing [its] own review [on] the AFB PMP and itself. The 2017 MPI report was extremely critical of the performance of the Management Agency and the issues that were raised in the report I do not believe that anything has changed since 2017, just window dressing ... I do NOT believe that the Management Agency will take any notice of submission[s] that don't agree with what Management Agency wants to put forward to the Minister. I believe that the Management Agency will fudge results and statistics in informing the Minister what they want the Minister to hear. Unless there are some radical changes with the management agency and accountability to levy payers ... I believe nothing will change and I have been saying that for a long time.

The AFB PMP should be run by an independent organisation, not by ApiNZ and levies should be on apiaries, not beehives. It is a very ill-thought-out change by people who seem to know very little about beekeeping.

...we face the situation where the current so-called 'Management Agency' is neither legally independent of ApiNZ (itself a member-driven advocacy body, not a regulatory agency) nor directly accountable to beekeepers for its financial or regulatory conduct. We suspect ApiNZ derives undeclared benefit from the MA's regulatory data, and levy income.

[The AFB PMP] should be run by beekeeper elected board completely independent from any other industry organisation, and not appointed by any industry organisation.

⁵³ Note each quote has a line space between each submitter. A quote may contain more than one excerpt from the same submitter, and where this occurs, this is indicated by placing three dots (...) between excerpts. Minor punctuation and spelling errors have been corrected.

I disagree with all of your proposed changes. The only changes need[ed] are ApiNZ being removed as the management agency and replaced with a levy payer selected management board. [An] independent complaints process being put in place.

The MA should be a separate entity, not part of ApiNZ (or any other industry body). This would improve governance, focus, accountability, and professionalism. And it would allow ApiNZ to hold the resulting body to account. ApiNZ's paying members are short-changed at present...

I believe AFB PMS Group should finish in 2023 as it was set up to do. The cost of [\$]2m a year out of the Beekeeping Industry can be better spent by individuals in the industry.

Everything is so secret now, staff have no connection with beekeepers and new computer system is a total waste of money. They act like a govt department increasing costs with no accountability to the beekeepers—I feel they need to have a long hard look at what they are doing—because they are achieving nothing at the moment.

[T]he takeover by corporates of the old NZBA, to promote and enable the fictitious mānuka honey scam, has almost destroyed the NZ [apiarist], and now, you want to squeeze us of our last dollars, in your self-serving quest for employment. [H]istory shows, just how futile your dreams are. [Y]ou have not achieved the last goal of 5%/annum. [N]or will you now in the next 10 years. [A] FACT drawn out by all countries in the world. I am going to send an OIA directly to you.

Levy payers appear to be stuck with a governance structure that may not be acceptable to some levy payers as well [as] lacks accountability to all.

- b) The levy is not well spent and/or the levy structure doesn't work well.

Quotes from submitters

Go back to the basics and start making the AFB agency work for the money they receive from levies—this is hard earned money and beekeepers need to see that they are actually achieving results.

AFB Agency should be working with the beekeepers to achieve goals of controlling AFB—I feel that they are an agency that is achieving nothing and is not being held accountable for performing poorly with levy money.

The agency should strive to remain as small as possible. And levy no costs on the industry. That would ensure cooperation and honest reporting. There is no evidence that fines will solve any problems that may or may not exist. It is just bureaucracy trying to grow its size and power.

Changes were made to the Levy Order that ended with a debacle in that the agency attempted to scam an extra levy of \$1.6m out of beekeepers ... Beekeepers are now stuck with a compromised levy collection system that is difficult to operate.

28. The AFB PMP Review should have been conducted independently. Communication, consultation, and submission processes were poor and biased towards hobby beekeepers. The proposed changes are poorly thought out and the cost-benefit analysis was flawed.

- a) The review should have been conducted independently. For instance, by MPI, an industry consortium, or a professional firm.

Quotes from submitters

I believe that an independent panellist is needed to handle the consultation process.

[T]he current MA reviewing itself creates an irreconcilable conflict of interest, which is likely to lead to actual harm to the industry, and materially impair the fight against AFB.

Issues that have become apparent with this review is that a group that have assumed the name 'the management agency' have commenced their own review and proposal and dismissed the suggestions by others for change as well as dismissing the concept of a more formal 'industry led' review of the industry asset. The review being undertaken by this group amounts to a very much in house view that is unlikely to expose a number of deficiencies others see within the management of the current PMP and the regulations. This is particularly true of deficiencies within the governance of the PMP and which the group of people conducting this review are not seeking to change ... I would hope that the Minister, in deciding if and what regulations need to [be] amended takes into account any other proposals for change that may be submitted by other individuals or group as per the provisions of the Act ... My recommendation would be for ApiNZ to hand the review over to a wider industry group to conduct a more in-depth appraisal of the performance of both the beekeepers and the performance of the agency against the Regulations. [Excerpts from one submission.]

This review and others like it in future should be conducted independently of the MA and of advocacy bodies. There are many ways this could be achieved: MPI could lead; an industry consortium could be formed, or a professional firm engaged, for example. But the current arrangement is both self-serving and a missed opportunity.

- b) Consultation meetings were biased towards hobby bee club meetings, but hobbyists are less affected by the proposed changes.

Quotes from submitters

Overall, I disagree with the proposed changes in the proposed notice. The activities of the Management Agency apply to commercial and hobbyist beekeepers alike; however, it should be noted that the two groups are discrete and distinct. It is on this basis that the public consultation process used for the review of the AFB PMP was both ineffective and failed to provide the information required by the discrete groups.

Meetings have been biased in that most of the face-to-face meetings have been convened at Hobby Bee club meetings. Whereas most of the proposed changes do not affect Hobby beekeepers to the extent

that it will affect the commercial members of the industry and many commercial members cannot easily participate in the webinars either.

- c) Communication about the proposed changes and the impacts of the changes was inadequate and misleading.

Quotes from submitters

I consider the consultation process has been poorly managed. I flag that there has been inadequate spread of information to those affected by the proposal. Information that has been provided is portrayed in such a way that misleads those that rely on the information provided. There should have been full disclosure to all of the potential consequence[s] of proposed changes and the safeguards that have been built around the potential changes to safeguard beekeepers.

The so-called consultation for the review has not been true consultation. Presentations have been given (in some cases at very short notice to beekeepers—4 days for the Hamilton meeting) with little ability to have discussions around points raised during the presentations unless the process was interrupted (as happened in Hamilton) which almost resulted in commercial levy payers being expelled from the meeting. Meetings have been biased in that most of the face-to-face meetings have been convened at Hobby Bee club meetings. Whereas most of the proposed changes do not affect Hobby beekeepers to the extent that it will affect the commercial members of the Industry and many commercial members cannot easily participate in the webinars either.

- d) The Management Agency has not set out how information and submissions are analysed, or how it has settled on the proposed changes. There is an over-reliance on surveys which is not a submission process. Submissions should be publicly available.

Quotes from submitters

The agency conducts a survey which is hardly a submission process. How does the MA decide what is to be included in a revised plan ... the MA can say that they have consulted and then proceed with their preconceived ideas for improvement of the PMP that may or may not reflect the majority of opinions of the levy payers. There are a number of flaws that have developed with the agency's reliance on a survey to judge the acceptability of the proposal on those that participate in the industry. This includes the scale of the impact on those that own a greater number of beehives than others. [Excerpts from one submission.]

Where the views and opinions differ and user expectations and priorities across the different rounds of consultation processes are articulated—the Management Agency (AFB) has not clearly set out how the collected information is analysed. Nor do the summaries of the prior consultation processes provide an explanation of how or why the Management Agency (AFB) settled on the current proposals. It is a fair question to ask why the Management Agency (AFB) feels it is exempt from providing reasons for its decision-making. It is from this perspective that I believe that the consultation process is, at best,

ineffective, and at worse, the losers of this process are the commercial beekeepers. I believe that an independent panellist is needed to handle the consultation process.

The Agency conducts a survey which is hardly a submission process or a referendum. There should be provision for people to submit only relevant information and reasons are given why a proposal should not proceed, or recommendations for amendments made to make the proposal more acceptable to those considering the proposed changes. If a more common form of submission process were adopted OIA requests could be easily responded to ... There are a number of flaws that have developed with the [agency's] reliance [on] a survey to judge the acceptability of the proposal on those that participate in the industry. This includes the scale of the impact on those that own a greater number of beehives than others. [Excerpts from one submission.]

It is a very ill-thought-out change by people who seem to know very little about beekeeping.

You should provide the research that shows the need for these changes.

- e) The cost-benefit analysis is flawed and based on incorrect assumptions.

Quotes from submitters

The cost-benefit analysis contracted by the MA is based on flawed assumptions. There is no evidence AFB would increase to 1990 levels with no regulatory control, as the present-day conditions are not the same as they were in 1990. Also, it's an assumption that [fewer] beekeepers would actively control AFB if there was no regulation.

The Nimmo-Bell Final Report date[d] 3rd August 2022 showed in Scenario 0 started at the worst possible instance without taking an account of what caused such a high peak of 1.2% in 1990, indicating that there was no AFB control action at the time which is totally incorrect ... The high peak in AFB 1.2% in 1990 was the result of a massive increase in hives going into kiwifruit pollination without any set of requirements ... Without understanding the history of this 1990 bump, the cost benefit analysis wouldn't look so good as the AFB rate at the inception of the AFB PMS was at 0.4% and is now at 0.3%. No real change in 25 years except for the bump 2000 to 2003 due to varroa weaken[ing] hives and allowing AFB to show ... The steady increase in reporting of AFB from 2016 onwards is due to the "Mānuka Gold Rush" where new beekeepers and businesses started with 100 to 1000 hives with very little knowledge of AFB.

The Cost Benefit Analysis provided in support of the proposal is fundamentally flawed. There is a claimed benefit after costs have been removed of \$28m over 10 years. This is on the assumption that without a PMP 99,909 beehives would succumb to AFB and have to be burned at a value of \$70 million. This is an outrageous assumption and should be challenged.

.....