

Draft

Act of amending the Tyrolean Beekeeping Act 2019 (Tiroler Bienenwirtschaftsgesetz)

The Provincial Parliament (Landtag) has enacted the following:

Article I

The Tyrolean Beekeeping Act 2019, Provincial Law Gazette (LGBl.) No 1/2020, is amended as follows:

1. *The short title and letter shortening reads as follows:*

‘(Tyrolean Beekeeping Act 2019 – TBWG 2019)’

2. *In § 2, at the end of point (g), the full stop is replaced by a semicolon and the following provision is added as point (h):*

‘h) maintainer: a beekeeper who keeps indigenous bee species worthy of protection or endangered, and a majority of beekeepers who have joined together for this purpose.’

3. *In § 4, after the words ‘200 metres as the crow flies’, the words ‘and apiaries with more than 60 hives at least 500 metres as the crow flies’ are inserted.*

4. *§ 8 reads as follows:*

‘§ 8**Pure breeding mating stations, protected areas**

(1) The Provincial Government can, by ordinance, declare mating stations to be pure breeding mating stations for bee species or breeding populations of bee species if:

- a) the intended breeding work is in the interest of the beekeeping sector;
- b) their location is secured prior to the arrival of foreign drones; and
- c) a breeding programme and a mating station order pursuant to § 9(1) are submitted by the future operator.

(2) The location of a mating station shall be deemed to be secured before the approach of foreign drones if:

- a) no apiary is kept within a radius of nine kilometres around the mating station that is registered in the Electronic Veterinary Register (Elektronische Veterinärregister, VIS) pursuant to § 8 of the Epizootic Diseases Act (Tierseuchengesetz); or
- b) due to the topographical or climatic conditions, the arrival of foreign drones from an apiary kept in the protected area in accordance with paragraph 3 to the mating station is excluded.

(3) The declaration on the pure breeding mating station defines a protection area of nine kilometres around the mating station. In the protected area, setting up and maintaining apiaries, with the exception of those used for breeding, shall be prohibited. If a mating station is declared to be a pure breeding mating

station and the conditions under paragraph 2(b) are met, the prohibition on maintaining apiaries in the protected area shall not apply to the apiaries already existing at the time of entry into force of the Ordinance.

(4) The district administrative authority can, at the request of a beekeeper, grant an exemption from the prohibition referred to in the second sentence of paragraph 3. The exemption shall be granted if, due to topographical or climatic conditions, the location of a pure breeding mating station is secured before the arrival of drones from the proposed apiary.

(5) If the operator of the pure breeding mating station changes, the previous operator or, if this is not possible or has not been done, the new operator shall immediately notify the Provincial Government.'

5. After § 9, the following provision is inserted as § 9a:

‘§ 9a

Conservation breeding areas

(1) The Provincial Government can, by ordinance, declare areas in which indigenous bee species worthy of protection or endangered are present to be conservation breeding areas for these bee species if their conservation is in the public interest and proof of their worthiness of protection as well as a conservation breeding programme are submitted by the relevant maintainer.

(2) The following are prohibited in conservation breeding areas:

- a) setting up and maintaining apiaries of bee species other than those for which the conservation breeding area is established;
- b) transhumance within the meaning of § 5 with beehives of bee species other than those for which the conservation breeding area is established.

Provided that this does not affect the protective purpose of the conservation breeding area, exceptions to the prohibitions referred to in points (a) and (b) can be laid down in an ordinance pursuant to paragraph 1.

(3) The Provincial Government shall evaluate the ordinances referred to in paragraph 1 periodically at intervals of no more than ten years. For this purpose, the maintainer shall submit to the Provincial Government, upon written request, proof of the current worthiness of protection of the bee species and, if necessary, an updated conservation breeding programme.

(4) The maintainer shall carry out the breeding work in accordance with the conservation breeding programme. The maintainer shall immediately notify the Provincial Government of any changes in the existence of the conditions referred to in paragraph 1.'

6. § 12(1)(b) reads as follows:

‘b) contravenes a prohibition on the basis of an ordinance pursuant to § 9(3) or § 9a(1);’

7. In § 12(2), the following provision is added as point (d):

‘d) fails to fulfil an obligation incumbent on it under § 9a(4);’

8. The heading of § 13 reads as follows:

‘Processing of personal data’

9. In § 13(4), the word ‘maintainers’ is inserted after the word ‘pure breeding mating station’.

10. The heading of § 14 reads as follows:

‘Transitional and final provisions’

11. The following provisions are added to § 14 as paragraphs 6 and 7:

‘(6) Apiaries with 60 or more hives, which at the time of the entry into force of the Act published in LGBL No xx/2025, were lawfully set up in accordance with § 4 and entered in the Electronic Veterinary Register (VIS), shall continue to be subject to § 4 of the Tyrolean Beekeeping Act 2019, as amended by the Act published in LGBL No 1/2020 until their possible relocation or extension.

(7) The Act published in LGBL No xx/2025 has been notified in accordance with the provisions of Directive (EU) 2015/1535 of the European Parliament and of the Council laying down a procedure for the

provision of information in the field of technical regulations and of rules on Information Society services, OJ L 241, 2015, p. 1 (Notification No XXXX).

Article II

This Act shall enter into force at the end of the day of its promulgation.