



Queensland

# Biosecurity (Varroa Mite and Other Matters) Amendment Regulation 2023

## Subordinate Legislation 2023 No. 3

made under the

*Biosecurity Act 2014*

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**1 Short title**

This regulation may be cited as the *Biosecurity (Varroa Mite and Other Matters) Amendment Regulation 2023*.

**2 Commencement**

Sections 6, 8 and 9 commence on 7 February 2023.

**3 Regulation amended**

This regulation amends the *Biosecurity Regulation 2016*.

**4 Insertion of new ch 2, pt 1**

Chapter 2—

*insert—*

**Part 1 Prohibited matter regulation**

**4 Declaration for particular biosecurity matter—Act, s 30**

For section 30(1)(b) of the Act, it is declared that bee louse (Braula fly) (*Braula coeca*) as mentioned in schedule 1 of the Act is no longer prohibited matter.

*Note—*

For the effect of a prohibited matter regulation, see section 29(2) of the Act.

**5 Replacement of s 19 (Conditions—Act, s 47(7), definition *notifiable incident*, paragraph (b)(v))**

Section 19—

*omit, insert—*

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**19 Symptoms and conditions for notifiable incidents—Act, s 47**

- (1) This section prescribes symptoms and conditions for section 47(7) of the Act, definition *notifiable incident*, paragraph (b)(v).
- (2) Each of the following affecting a colony of honey bees (*Apis mellifera*) is prescribed as a symptom—
  - (a) malnourishment of the queen bee;
  - (b) a reduction in the viability of the honeycomb;
  - (c) a reduction in the strength of the bee hive.
- (3) Tick fever in a cattle tick carrier located in the cattle tick free zone is prescribed as a condition.
- (4) In this section—

*tick fever* means the condition caused by *Babesia bovis*, *Babesia bigemina* or *Anaplasma marginale*.

**6 Amendment of s 46A (Moving samples for testing)**

Section 46A(5), definition *approved facility*—  
*omit.*

**7 Omission of s 49 (Bee louse carrier)**

Section 49—  
*omit.*

**8 Insertion of new ch 5, pt 12A**

Chapter 5—  
*insert—*

## Part 12A      **Varroa mite biosecurity zone regulatory provisions**

### 94EA Definitions for part

In this part—

**apiary appliance** means any apparatus, equipment, fitting, implement or utensil for beekeeping or processing, handling or storing an apiary product.

**apiary product**—

- (a) means anything produced or collected by bees; but
- (b) does not include the following—
  - (i) drone semen;
  - (ii) processed bee bread;
  - (iii) processed beeswax;
  - (iv) processed honey;
  - (v) processed pollen;
  - (vi) processed propolis;
  - (vii) processed royal jelly.

**bee** means a bee of any species of the genus *Apis* (*Apis spp.*), whether living or dead.

**biosecurity area** see section 94EC(1).

**clean container movement system** means a system for packing and moving an apiary product, processed beeswax or processed honey in a container in a way that ensures—

- (a) there is no contamination of the apiary product, processed beeswax or processed honey from varroa mite or a varroa mite carrier; and

- (b) there is no contamination of the outside of the container, or any outer protective framing or pallet used to move the container, by the apiary product, processed beeswax or processed honey; and
- (c) bees are excluded from—
  - (i) the place where the container is packed; and
  - (ii) the container and any outer protective framing or pallet while the container is being packed or moved.

**packing**, a thing in a container, includes decanting the thing into the container.

**processed beeswax** means beeswax processed by—

- (a) melting; and
- (b) filtering to remove bees, brood and debris; and
- (c) rendering.

**processed honey** means honey extracted and processed by filtering, straining or settling to remove wax cappings and bees.

**varroa mite** means varroa mite (*Varroa spp.*).

**varroa mite biosecurity zone** see section 94EB.

**varroa mite carrier** means—

- (a) an apiary; or
- (b) an apiary appliance; or
- (c) an apiary product; or
- (d) a bee; or
- (e) processed beeswax; or
- (f) processed honey; or

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- (g) a shelter in which a bee may form a nest outside of a hive; or
- (h) a swarm of bees.

#### **94EB Establishing biosecurity zone—Act, s 128**

The whole of the State is established as a biosecurity zone (the *varroa mite biosecurity zone*) for varroa mite.

#### **94EC Biosecurity areas—Act, s 129**

- (1) The chief executive may, under section 129(1)(c)(i) of the Act, establish particular areas (each a *biosecurity area*) within the varroa mite biosecurity zone.
- (2) The chief executive may, under section 129(1)(c)(ii) of the Act, provide for lesser restrictions, in relation to a biosecurity area, than would otherwise apply in relation to the area under this part.

#### **94ED Restriction on moving varroa mite carriers**

- (1) A person must not move a varroa mite carrier into the varroa mite biosecurity zone from a State where varroa mite has been found.
- (2) However, a person may move a varroa mite carrier into the varroa mite biosecurity zone if—
  - (a) the carrier is a new and unused apiary appliance; or
  - (b) the carrier is processed beeswax or processed honey that is dealt with using a clean container movement system; or
  - (c) the carrier is a sample of honey that—
    - (i) is being moved to an approved facility for testing; and

- (ii) is quarantine secured under section 46A(3).

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

- (3) Subsection (4) applies if, under section 94EC, the chief executive establishes a biosecurity area and provides for unrestricted movement of a varroa mite carrier in the biosecurity area under section 129(1)(c) of the Act.
- (4) A person must not move the varroa mite carrier from a place in the biosecurity area to another place in the varroa mite biosecurity zone that is outside the biosecurity area.
- (5) In this section—

*new and unused apiary appliance* means an apiary appliance that—

- (a) has been packed—
- (i) at a place from which bees have been excluded; and
- (ii) in a way that excludes bees; and
- (b) has remained sealed in its original packaging; and
- (c) has not been in contact with bees or an apiary product.

### **94EE Notifying presence of varroa mite**

- (1) This section applies if a person becomes aware or believes, or ought reasonably to believe, that varroa mite is present in or on a varroa mite carrier.
- (2) The person must notify an inspector of the presence of varroa mite.

*Note—*

A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.

## 9 Amendment of sch 11 (Dictionary)

(1) Schedule 11, definition *biosecurity area*—

*omit.*

(2) Schedule 11—

*insert—*

***apiary appliance***, for chapter 5, part 12A, see section 94EA.

***apiary product***, for chapter 5, part 12A, see section 94EA.

***approved facility*** means a facility listed in the biosecurity manual as an approved facility for receiving and handling diagnostic or analytical samples.

***bee***, for chapter 5, part 12A, see section 94EA.

***biosecurity area***—

(a) for chapter 5, part 12, see section 94B(1); or

(b) for chapter 5, part 12A, see section 94EC(1).

***clean container movement system***, for chapter 5, part 12A, see section 94EA.

***packing***, for chapter 5, part 12A, see section 94EA.

***processed beeswax***, for chapter 5, part 12A, see section 94EA.

***processed honey***, for chapter 5, part 12A, see section 94EA.

***varroa mite***, for chapter 5, part 12A, see section 94EA.



*varroa mite biosecurity zone*, for chapter 5, part 12A, see section 94EB.

*varroa mite carrier*, for chapter 5, part 12A, see section 94EA.

Endnotes

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ENDNOTES

- 1 Made by the Governor in Council on 2 February 2023.
- 2 Notified on the Queensland legislation website on 3 February 2023.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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