



Queensland

Biosecurity (Polyphagous Shot-hole Borer) Amendment Regulation 2023

Subordinate Legislation 2023 No. 118

made under the

Biosecurity Act 2014

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[s 1]

1 Short title

This regulation may be cited as the *Biosecurity (Polyphagous Shot-hole Borer) Amendment Regulation 2023*.

2 Regulation amended

This regulation amends the *Biosecurity Regulation 2016*.

3 Insertion of new ch 5, pt 12B

Chapter 5—

insert—

Part 12B Polyphagous shot-hole borer biosecurity zone regulatory provisions

94EF Definitions for part

In this part—

carrier plant means a plant that is capable of being infested with polyphagous shot-hole borer.

Note—

See the biosecurity manual for a list of plants that are capable of being infested with polyphagous shot-hole borer.

polyphagous shot-hole borer means polyphagous shot-hole borer (*Euwallacea fornicatus*).

polyphagous shot-hole borer biosecurity zone see section 94EG.

polyphagous shot-hole borer carrier means—

- (a) a carrier plant, or part of a carrier plant, that—
 - (i) is alive; and

- (ii) has woody parts that are larger than 2cm in diameter; or
- (b) wood, other than processed wood, mulch or woodchips, that is—
 - (i) from a carrier plant; and
 - (ii) larger than 2cm in diameter; or
- (c) mulch or a woodchip that is—
 - (i) from a carrier plant; and
 - (ii) larger than 2.5cm in diameter; or
- (d) an appliance that has come into contact with a carrier mentioned in paragraph (a), (b) or (c).

processed wood means—

- (a) wood that has been treated, dried or seasoned for at least 6 months; or
- (b) wooden articles that are in use for construction, furniture or packaging.

Examples of wooden articles for paragraph (b)—

fencing, pallets, sawn timber

94EG Establishing biosecurity zone—Act, s 128

The whole of the State is established as a biosecurity zone (the ***polyphagous shot-hole borer biosecurity zone***) for polyphagous shot-hole borer and polyphagous shot-hole borer carriers.

94EH Restriction on moving polyphagous shot-hole borer carriers

- (1) A person must not move a polyphagous shot-hole borer carrier into the polyphagous shot-hole borer biosecurity zone from a State where polyphagous shot-hole borer has been found.

[s 3]

- (2) However, a person may move a polyphagous shot-hole borer carrier into the polyphagous shot-hole borer biosecurity zone if—
- (a) the carrier has come from a certified interstate free area for polyphagous shot-hole borer; or
 - (b) the person—
 - (i) gets an acceptable biosecurity certificate that states the carrier meets the risk minimisation requirements for the carrier, before moving the carrier; and
 - (ii) ensures, under section 46, that, until the move is completed, the carrier is dealt with in accordance with the risk minimisation requirements for the carrier.

Note—

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

94EI Notifying presence of polyphagous shot-hole borer

- (1) This section applies if a person becomes aware or believes, or ought reasonably to believe, that polyphagous shot-hole borer is present in or on a polyphagous shot-hole borer carrier.
- (2) The person must notify an inspector of the presence of polyphagous shot-hole borer as soon as practicable.

Note—

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

4 Replacement of ch 10, hdg (Consequential amendments and repeals)

Chapter 10, heading—

omit, insert—

Chapter 10 Repeals and revocations

5 Renumbering of ch 10, pt 2 (Repeals)

Chapter 10, part 2—

renumber as chapter 10, part 1.

6 Insertion of new ch 10, pt 2

Chapter 10—

insert—

Part 2 Revocations

131 Revocation of movement control order for polyphagous shot-hole borer and carriers—Act, s 124

The movement control order for polyphagous shot-hole borer and carriers made on 1 June 2023 is revoked.

7 Amendment of sch 11 (Dictionary)

Schedule 11—

insert—

carrier plant, for chapter 5, part 12B, see section 94EF.

polyphagous shot-hole borer, for chapter 5, part 12B, see section 94EF.

[s 7]

polyphagous shot-hole borer biosecurity zone, for chapter 5, part 12B, see section 94EG.

polyphagous shot-hole borer carrier, for chapter 5, part 12B, see section 94EF.

processed wood, for chapter 5, part 12B, see section 94EF.

ENDNOTES

- 1 Made by the Governor in Council on 24 August 2023.
- 2 Notified on the Queensland legislation website on 25 August 2023.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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