

Biosecurity (Varroa Mite) Amendment Regulation (No. 2) 2025

Explanatory notes for SL 2025 No. 153

made under the

Biosecurity Act 2014

General Outline

Short title

Biosecurity (Varroa Mite) Amendment Regulation (No. 2) 2025.

Authorising law

Sections 39 and 503 of the *Biosecurity Act 2014* (Biosecurity Act).

Policy objectives and the reasons for them

Section 39 of the Biosecurity Act states that the Minister may recommend to the Governor in Council the making of a regulation to declare that particular biosecurity matter not mentioned in schedule 2 is restricted matter.

Section 503 states that the Governor in Council may make regulations under the Biosecurity Act.

Minor amendments are required to declare that *Varroa destructor* is restricted matter category 2 for the purpose of the Biosecurity Act; and to remove the varroa mite biosecurity zone regulatory provisions.

Background

Varroa destructor is a species of varroa mite that impact bees, recreational and commercial beekeepers and pollination industries. Varroa mites can spread both endemic and exotic viruses by infecting European honey bees, which then share resources with native bees.

In February 2024, the National Management Group, made up of representatives from the Federal Government, state and territory departments and executives from relevant peak industry bodies and Plant Health Australia, endorsed the National Varroa Mite Transition to Management Plan (the Plan), which incorporates the Transition to Management of *Varroa destructor*, since the eradication of *Varroa destructor* is considered not technically feasible. The Plan established the

National Varroa Mite Management Program to coordinate the transition to management, rather than eradication, nationally. Queensland has been collaborating with other jurisdictions to transition to the management of the pest. *Varroa destructor* remains on the national list of notifiable diseases of bees.

On 27 June 2025, *Varroa destructor* was declared to no longer be prohibited matter by the *Biosecurity (Varroa Mite) Amendment Regulation 2025*. Its presence in Queensland meant it no longer met the criteria for prohibited matter. A biosecurity zone restricting the movement of all species of varroa mite including *Varroa destructor* remains in place.

The unexpectedly rapid spread of *Varroa destructor* in Queensland since the pest was first detected in early 2025 requires a more effective long-term regulatory strategy. This includes removal of permit requirements that are no longer appropriate.

Declaring that Varroa destructor is restricted matter, category 2

Biosecurity Queensland has determined that *Varroa destructor* should be listed as restricted matter category 2. Under a category 2 listing, a person managing one or more hives will be required to notify an authorised officer of the presence of *Varroa destructor* and apply measures to reduce, control or contain the pest. These are existing requirements applied by the varroa mite biosecurity zone.

Declaring that *Varroa destructor* is restricted matter category 2 will effectively retain the relevant requirements of notification of the varroa mite biosecurity zone.

As *Varroa destructor* is not yet detected in Central, North and Far Northern Queensland, declaring the pest as Category 2 is appropriate for the risk this pest presents.

Removing the varroa mite biosecurity zone regulatory provisions

The varroa mite biosecurity zone was intended to prevent *Varroa destructor* from entering Queensland from other Australian states. Given that *Varroa destructor* is now rapidly becoming established in Queensland, the varroa mite biosecurity zone is no longer required.

Removal of the varroa mite biosecurity zone will facilitate movement of varroa mite carriers into Queensland from infested jurisdictions without the need to apply for a permit, thus minimising the regulatory burden on businesses and government. Queensland beekeepers access southern markets for pollination and honey flows and then return into Queensland from infested jurisdictions.

Notification requirements that are currently part of the biosecurity zone provisions will be preserved, because the same notification requirements exist for restricted matter category 2 (see above).

Existing biosecurity measures as part of a beekeeper's general biosecurity obligation will remain, such as submission of test results on the Bee123 app. As part of the transition to management rather than eradication, Biosecurity Queensland is increasing education for beekeepers and pollination-reliant industries on best management practices.

Achievement of policy objectives

Declaring that Varroa destructor is no longer prohibited matter

The policy objective of the *Biosecurity (Varroa Mite) Amendment Regulation (No. 2) 2025* (Amendment Regulation) will be achieved by:

- amending the *Biosecurity Regulation 2016* (the Regulation) to declare that *Varroa destructor* is restricted matter category 2, and
- removing Chapter 5, Part 12A of the Regulation to remove provisions regarding the varroa mite biosecurity zone.

Consistency with policy objectives of authorising law

The main purpose of the Biosecurity Act is to provide a framework for an effective biosecurity system for Queensland that:

- helps to minimise biosecurity risks and facilitates responding to impacts on a biosecurity consideration, including responding to biosecurity events, in a timely and effective way,
- ensures the safety and quality of animal feed, fertilisers and other agricultural inputs, and
- helps align responses to biosecurity risks in the State with national and international obligations and requirements for accessing markets for animal and plant produce, including live animals and plants.

The amendment will ensure an effective response to a biosecurity consideration that is aligned to the level of risk.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of any other legislation.

Alternative ways of achieving policy objectives

Maintaining the status quo is not appropriate. If the biosecurity zone were to remain in place, the movement of varroa mite carriers into Queensland from jurisdictions where varroa is present will continue to require permits. This creates a regulatory responsibility for the government to issue these permits and monitor compliance. A more fit-for-purpose management arrangement is to provide for reporting requirements through declaring *Varroa destructor* as restricted matter Category 2.

Category 1 and 2 restricted matter both have specific urgent reporting requirements. However, category 2 has notification requirements that align with current biosecurity zone regulations in place and includes fewer offense provisions than category 1 and the associated zone.

As *Varroa destructor* is not yet detected in Central, North and Far Northern Queensland declaring the pest as Category 2 is appropriate for the risk this pest presents.

Category 2 restricted matter is the most appropriate category due to alignment with existing notification requirements.

Benefits and costs of implementation

The amendment benefits Queensland's community, environment and economy by managing a biosecurity concern in a way that is commensurate with the changed level of risk.

Declaring that *Varroa destructor* is restricted matter category 2 will effectively retain the relevant requirements of notification of the varroa mite biosecurity zone, without retaining requirements that are no longer relevant to the situation.

Removal of the varroa mite biosecurity zone will facilitate movement of varroa mite carriers into Queensland from infested jurisdictions without the need to apply for a permit, thus minimising the regulatory burden on businesses and government. Queensland beekeepers access southern markets for pollination and honey flows and then return into Queensland from infested jurisdictions.

Consistency with fundamental legislative principles

The Amendment Regulation has been developed with regard to the fundamental legislative principles (FLPs) as defined by section 4 of the *Legislative Standards Act 1992* (LSA Act).

The overall effect of the amendments will be to remove the requirement to apply for a permit when moving varroa mite carriers into Queensland from other jurisdictions with varroa mite detections. Therefore the amendments will not increase the regulatory burden.

Listing *Varroa destructor* as restricted matter category 2 involves a regulatory imposition in the form of mandatory notification if the presence of the pest is detected. However, this imposition exists currently under the requirements of the varroa mite biosecurity zone.

No new requirements will be imposed by these amendments, given that the notification requirements for restricted matter category 2 are the same as the notification requirements currently imposed by the varroa mite biosecurity zone.

The potential engagement is therefore not considered to be a breach of FLPs.

Consultation

The Queensland Beekeepers' Association (QBA) has assisted in analysing risks and needs for business continuity of the industry. QBA supports the current proposal and will be a key partner in promoting communications.

Regulatory Impact Analysis

Relevant industry stakeholders were consulted over the course of recent amendments including the removal of *Varroa destructor* from the list of prohibited matter.

The net effect of the Amendment Regulation is deregulatory (removes regulation) and does not increase costs or regulatory burden on business or the community. This proposal is not subject to Regulatory Impact Analysis under the Better Regulation Policy.

The department will continue to consult with relevant stakeholders.