

Biosecurity (Varroa Mite) Amendment Regulation 2025

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019* (HR Act), I, Anthony Perrett MP, Minister for Primary Industries, provide this human rights certificate with respect to the *Biosecurity (Varroa Mite) Amendment Regulation 2025* made under the *Biosecurity Act 2014* (Biosecurity Act).

In my opinion, the *Biosecurity (Varroa Mite) Amendment Regulation 2025*, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

A minor amendment is required to formally declare that *Varroa destructor* is no longer prohibited matter for the purpose of the Biosecurity Act.

Varroa destructor, a species of varroa mite affecting bees and impacting recreational and commercial beekeepers, is currently listed in Schedule 1 ('Prohibited matter') of the Biosecurity Act. It is an offence for persons to deal with prohibited matter.

Under section 20 of the Biosecurity Act, the criteria for prohibited matter are that (a) the biosecurity matter is not currently present or known to be present in the State; and (b) there are reasonable grounds to believe that if it did enter the State or part of the State the biosecurity matter may have a significant adverse effect on a biosecurity consideration.

Recently, multiple confirmed detections of *Varroa destructor* were made across the Lockyer Valley Regional, Somerset Regional, Brisbane City, Quilpie and North Burnett Regional Council areas. As this pest is now known to be present in Queensland it no longer meets the criteria for prohibited matter.

On 9 April 2025, an emergency prohibited matter declaration under section 31 of the Biosecurity Act came into effect, temporarily declaring that *Varroa destructor* is not prohibited matter.

The emergency declaration will expire on 9 July 2025. After this date, unless further action is taken, *Varroa destructor* would again be classed as prohibited matter under Schedule 1 of the Act.

Given the multiple detections across different council areas in Queensland, *Varroa destructor* no longer fits the criteria for prohibited matter.

Emergency declarations are intended as temporary measures only. A regulation amendment is required to formally declare that *Varroa destructor* is not prohibited matter.

The other species of varroa mite (*Varroa jacobsoni*) mentioned in the legislation remains a prohibited matter. All other regulatory provisions relating to varroa mites remain relevant, because the varroa mite biosecurity zone (Part 12A of the Regulation) remains in place including the requirement for notification of the pest.

The policy objective will be achieved by amending section 4 of the *Biosecurity Regulation 2016* to declare that *Varroa destructor* is no longer prohibited matter.

Under section 33(2)(b) of the Biosecurity Act, the emergency prohibited matter declaration will end once this prohibited matter regulation comes into force.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 HR Act)

The amendment regulation has been considered with regard to the HR Act, and it has been determined that no human rights are engaged by the Amendment Regulation.

The amendment regulation will reduce the regulatory burden because the prohibition on dealing with prohibited matter, which prevents the movement of carriers such as bees within Queensland, unless biosecurity orders or biosecurity instrument permits are in place, will no longer apply to this species.

The existing varroa mite biosecurity zone will remain in place to help slow spread of the pest into the state from other infested jurisdictions and thus manage the risks to industry.

Conclusion

I consider that the *Biosecurity (Varroa Mite) Amendment Regulation 2025* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

Anthony Perrett MP
MINISTER FOR Primary industries