

# BIOSECURITY EMERGENCY GROUP PERMIT

## NSW *Biosecurity Act 2015*

I, Chris Anderson, Deputy Chief Plant Protection Officer NSW

with the delegated authority of the Secretary under section 379 of the *Biosecurity Act 2015 (the Act)* and under Part 21 of the Act, grant an emergency permit to the following class of persons:

A person who is a registered commercial beekeeper.

This emergency permit authorises the following conduct that, but for the emergency permit, would contravene a requirement imposed by or under the emergency order, subject to the conditions of this emergency permit:

Movement of almond pollination hives and any bees housed within those hives within the Varroa mite general emergency zone without completing the alcohol washing requirements for that movement.

### Conditions

A registered commercial bee keeper must ensure that the following conditions are met:

1. Surveillance action has been undertaken on any of their almond pollination hives since the hives were last moved.
2. The surveillance action detected no Varroa mite.
3. All other requirements for the movement of hives by a registered commercial beekeeper set out in the emergency order are complied with.

### Definitions:

(1) In this permit:

**alcohol washing requirements** means carrying out alcohol washing on the hives that are proposed to be moved at the greater of the following quantities and found to be free of Varroa mite:

- (a) less than 64 hives – alcohol washing of all hives,
- (b) 64 hives and up to 640 hives – alcohol washing of 64 hives, or
- (c) 640 hives or greater – alcohol washing of 10% of hives.

**almond pollination hive** means a hive that has been deployed within the Varroa mite general emergency zone to pollinate almonds during August 2022.

**bee** has the same meaning as in the Act.



**emergency order** means the *Biosecurity (Varroa Mite) Emergency Order 2022 (No. 24)* dated 23 August 2022 or any emergency order that replaces that order.

**hive** means an artificial receptacle designed for housing living bees and its contents but does not include:

- (a) a new hive that has never been in contact with bees, or
- (b) a hive that has been treated using the irradiation treatment method and has not had contact with bees since that treatment.

**Note.** irradiation treatment method is defined in the emergency order.

**registered commercial beekeeper** means a person who has been granted biosecurity registration under Part 12 of the Act to engage in the registrable dealing of dealing with bees, where that registration is a business registration, or a person who is registered to keep bees under a corresponding law (within the meaning of clause 1, Schedule 4 to the Act).

**surveillance action** means the Department or an authorised officer has installed miticide strips and sticky mats:

- (a) on the hive, or
- (b) on other hives that were located on the same premises as the hive being moved.

**Varroa mite general emergency zone** – has the same meaning as in clause 4 of the emergency order.

- (2) Unless otherwise specified in this permit, words and expressions have the same meaning as they have in the *Biosecurity Act 2015* and instruments made under that Act.

**Notes.**

- 1. Varroa mite is prohibited matter under the *Biosecurity Act 2015*. If you suspect that you have varroa mite, you must notify NSW DPI immediately. Notification can be made by calling the Exotic Plant Pest Hotline on 1800 084 881.

**Commencement**

24/08/2022

**Duration**

31/12/2022

Chris Anderson

Name

Signature

Deputy Chief Plant Protection Officer and  
Director Plant Biosecurity and Product  
Integrity

24/08/2022

Role

Date



## Department of Primary Industries

Department of Primary Industries within the  
Department of Regional NSW

*Agency*

Failure to comply with the conditions of the emergency permit could result in a penalty notice or prosecution. The maximum penalty for an individual is \$1,100,000 or imprisonment for 3 years, or both, and, in the case of a continuing offence, a further penalty of \$137,500 for each day the offence continues. The maximum penalty for a corporation is \$2,200,000 and, in the case of a continuing offence, a further penalty of \$275,000 for each day the offence continues.

This information is collected by the collecting agency identified in this form in relation to its functions under the *Biosecurity Act 2015*. This agency may use and disclose this information as reasonably necessary for the purpose of performing biosecurity risk functions under, or reasonably contemplated by, the *Biosecurity Act 2015*.



## Guide to the Biosecurity Emergency Permit (Group)

### Information about the emergency permit

This emergency permit is issued under Part 21 of the *Biosecurity Act 2015* (the Act) (including section 337). A person is not guilty of an offence against the Act or regulations under the Act if the person was authorised to engage in the conduct alleged to constitute the offence concerned by an emergency permit in force under this Act.

It is an offence to contravene a condition of an emergency permit.

### Conditions of emergency permit

The Secretary (or delegate) may impose conditions on an emergency permit at the time of granting or renewing the emergency permit or at any other time by variation to the emergency permit. Under sections 348, 349 and 350 of the Act, the conditions of an emergency permit may include (but are not limited to) conditions for insurance cover, conditions for biosecurity audits and conditions requiring financial assurances.

### Variation of an emergency permit

Under section 334 of the Act, the Secretary (or delegate) may, at any time, vary an emergency permit by notice in writing. A variation includes the imposition of new conditions on an emergency permit, the substitution of a condition, or the omission or amendment of conditions.

An application to vary this emergency permit can be made by the permit holder in an approved form and must be accompanied by any relevant information or evidence that the decision maker requires. This application must be accompanied by a fee.

### Refusal to grant / renew an emergency permit

The Secretary (or delegate) may, on application or using their own initiative, renew or refuse to renew an emergency permit. Section 346 of the Act sets out matters that the Secretary (or delegate) may consider when making a decision to renew or refuse an emergency permit. The Secretary (or delegate) must give written or oral notice of a decision to renew or refuse to renew an emergency permit. If notice is provided orally, written confirmation of the decision must be provided as soon as practicable.

### Suspension or cancellation of an emergency permit

The Secretary (or delegate) may, by oral or written notice, suspend or cancel an emergency permit if satisfied that there are grounds for the suspension or cancellation of the emergency permit. Section 352 of the Act sets out general grounds for suspension or cancellation of an emergency permit.

A person may also apply for the suspension or cancellation of an emergency permit.

### Rights of appeal

No appeal can be laid against any decision of the Secretary (or delegate):

- to refuse to grant or renew an emergency permit, or
- to refuse to renew, or to suspend or cancel a permit in the case of an emergency, or
- about a group permit.

### Contact

For all biosecurity matters please contact NSW Department of Primary Industries on **1800 808 095** or [biosecurity@dpi.nsw.gov.au](mailto:biosecurity@dpi.nsw.gov.au)