

BIOSECURITY EMERGENCY GROUP PERMIT

NSW *Biosecurity Act 2015*

I, Satendra Kumar, Chief Plant Protection Officer, and Director Plant Biosecurity and Product Integrity

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, and who has:

- (a) completed the Tocal Varroa mite online training within the previous 12 month period,
- (b) completed the alcohol washing requirements, and
- (c) provided details of the proposed movement of hives to the Department by completing the notification of proposed hive movement form available at www.dpi.nsw.gov.au/varroa.

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:

1. Subject to clauses 2 and 3 below, movement of hives within the Varroa mite general emergency zone, and the movement of any bees housed in those hives is permitted.
2. The movement of any hive that has been in the Narrabri emergency zones after 30 April 2022 is not permitted.
3. The movement of any hive that has been in the Varroa mite eradication emergency zone, Varroa mite surveillance emergency zone or the Varroa mite notification emergency zone in the 24 month period prior to the date of the proposed movement, is not permitted.

Notes.

1. The movement of any hive that has been in the Narrabri emergency zones after 30 April 2022 or in any of the other Varroa mite emergency zones in the past 24 months is not authorised by this permit.
2. The description of the class of persons to whom this permit applies includes a requirement that the person has notified the Department of details of the proposed hive movements. The effect of this is that a person is not authorised by this permit to move hives unless each movement event has been notified to the Department.

Conditions

You must ensure that the following conditions are met:

1. Before moving the bees and hives, you must record the current location of the hives and the destination of hives as GPS coordinates, land parcel number or Lot and Deposited Plan, as well as street address and keep these records for 5 years.
2. Hives must be transported in a manner that prevents the escape or entry of bees out of or into those hives.



3. While moving the bees and their hives, you must, as far as reasonably practicable, avoid transiting through the Varroa mite eradication emergency zone, Varroa mite surveillance emergency zone and the Varroa mite notification emergency zone.
4. If you do transit through the Varroa mite eradication emergency zone, Varroa mite surveillance emergency zone or the Varroa mite notification emergency zone, you must not stop unless it is required for one of the following reasons:
 - (a) obtaining supplies, including fuel, that is reasonably necessary for:
 - (i) the vehicle in which the hives are travelling, or
 - (ii) a person in the vehicle, or
 - (b) reasonably stopping to rest or have a meal, or
 - (c) dealing with an emergency.
5. You must have a copy of this group permit and your completed notification of proposed hive movement form while you are moving the hives and retain a copy of that notification form for five years.
6. Upon detection of any breach of the conditions specified in this permit, the beekeeper must immediately notify the NSW Department of Primary Industries on 1800 680 244.

Notes.

1. Varroa mite is prohibited matter under the *Biosecurity Act 2015*. It is an offence to deal with prohibited matter. 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.
2. Authorised officers may undertake surveillance and compliance activities on your hives.

Definitions:

- (1) In this permit:

alcohol means either 100% ethanol, isopropyl alcohol or methylated spirits.

alcohol washing means washing a sample of bees from a hive in alcohol to detach Varroa mites to inspect for the presence of Varroa mite. In this definition, a sample of bees means a minimum of 300 bees.

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
- (b) 640 hives or greater – alcohol washing of 10% of hives.

bee has the same meaning as in the Act.

emergency order means the *Biosecurity (Varroa Mite) Emergency Order 2022 (No. 14)* dated 17 July 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.

Narrabri emergency zones means those parts of the Varroa mite eradication emergency zone, Varroa mite surveillance emergency zone and the Varroa mite notification emergency zone that are in the vicinity of the town of Narrabri as shown on the map published on the NSW Department of Primary Industries website at <https://www.dpi.nsw.gov.au/emergencies/biosecurity/current-situation/varroa-mite-emergency-response>.

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).

Tocal Varroa mite online training is the online course located at <https://courses.tocal.nsw.edu.au/courses/varroa-mite-online-training>

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

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

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

Varroa mite surveillance 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.

Commencement

20 July 2022

Expiry

20 August 2022

Satendra Kumar	
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Name

Signature



Department of Primary Industries

Chief Plant Protection Officer, and Director Plant Biosecurity and Product Integrity	19/07/2022
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Role

Date

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