



Department of  
Primary Industries

BIOSECURITY ACT 2015

# Discussion Paper: Beekeeping in NSW

December 2015



**Comments on this paper close on 12 February 2016**

*Email your comments to:* [submissions.biosecuritylegislation@dpi.nsw.gov.au](mailto:submissions.biosecuritylegislation@dpi.nsw.gov.au)

*Post your comments to:* Biosecurity Act 2015  
NSW Department of Primary Industries  
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Orange NSW 2800

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**For more information**

See: [www.dpi.nsw.gov.au/biosecurityact](http://www.dpi.nsw.gov.au/biosecurityact)

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Disclaimer: The information contained in this publication is based on knowledge and understanding at the time of writing (December 2015). However, because of advances in knowledge, users are reminded of the need to ensure that information upon which they rely is up to date and to check currency of the information with the appropriate officer of the Department of Primary Industries or the user's independent adviser.

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## Summary

The *Biosecurity Act 2015* (Biosecurity Act) will repeal the *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991*, the *Stock Diseases Act 1923* and the *Apiaries Act 1985* which currently provide the regulatory controls and powers to manage the risks posed to and by beekeeping in NSW.

Having considered the existing management arrangements and risks associated with bees, it is proposed to manage bees utilising a range of tools including **Prohibited Matter**, the **General Biosecurity Duty** with **Mandatory Measures**, and **Registration**.

## Background

### What is the problem?

The NSW apiary industry is threatened by both exotic and endemic pests and diseases. Exotic pests include Varroa mite, Acariasis tracheal mite, Tropilaelaps mite, Braula fly, Africanised honeybees, Asian honeybee, Dwarf honeybee, and Giant honeybee. Endemic pests and diseases include American foulbrood, European foulbrood, Chalkbrood, Small hive beetle, and Nosemosis.

It is common for bees to be kept in urban areas where they can potentially cause a nuisance and in some cases endanger public health and safety. The community has an expectation that they should not be threatened by managed bees in and around their homes and property.

### Why is it important?

The NSW beekeeping industry is estimated to contribute \$36 million annually to the state's economy<sup>1</sup>. NSW also accounts for 40-45% of Australia's honey crop<sup>2</sup>. Bee pests and diseases, both endemic and exotic, can have a financial impact as a result of lost production or increased costs of production.

Beekeepers also provide an important pollination service for many of our horticultural and crop industries, estimated at \$3.8 billion annually for the Australian economy<sup>3</sup>.

### What is the outcome we are seeking?

The desired objective is to minimise the impact of pests and diseases on the NSW apiary industry, and minimise the impact of nuisance bees and threats to public safety in our community.

## Current management arrangements

The *Apiaries Act 1985* (Apiaries Act) is the primary Act regulating bees in NSW. It requires beekeepers to be registered to keep honeybees and also makes provision for pest and disease control. The *Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991* (ADAPEO Act) and the *Stock Diseases Act 1923* (SD Act) also regulate certain pests and diseases that affect bees.

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<sup>1</sup> Australian Government Senate Inquiry (2014): Future of the beekeeping and pollination service industries in Australia. (NSW Apiarist's Association Inc. submission No. 58).

<sup>2</sup> Centre for International Economics (2005) Future directions for the Australian honey bee industry. Prepared for the Department of Agriculture, Fisheries and Forestry

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## Animal Diseases and Animal Pests Emergency Outbreaks Act

The *Emergency Animal Diseases and Emergency Animal Pests Order 2014* made under the ADAPEO Act, declares certain exotic pests and diseases of bees as 'emergency pests and diseases'. These include Varroa mite, Acariasis tracheal mite, Tropilaelaps mite, Braula fly, Africanised honeybees, Asian honeybee, Dwarf honeybee, and Giant honeybee.

If an outbreak of an emergency pest or disease is notified and confirmed, powers are available under ADAPEO Act to contain and eradicate the pest or disease.

## Stock Diseases Act

The *Stock Diseases (Declaration of Diseases in Stock) Proclamation 2014* made under the SD Act declares certain endemic pests and diseases of bees as 'notifiable diseases'. These include European foulbrood, Chalkbrood, Small hive beetle, and Nosemosis.

The *Stock Diseases (Bee Louse) Proclamation 2012* also made under the SD Act regulates the importation and introduction of carriers of bee louse (otherwise known as Braula Fly) into NSW from Tasmania. The carriers include bees, beehives, apiary products and apiary appliances.

## Apiaries Act

The Apiaries Act:

- requires and provides for the registration of all beekeepers who keep honeybees (bees of the genus *Apis mellifera* L).
- includes requirements for disease control with respect to declared diseases under the Act. American foulbrood (AFB) is currently the only declared disease.
- regulates the importation of bees, beehives, apiary products or appliances into NSW (see *Apiaries (Prohibition of importation) Order 2009*).
- includes powers with respect to public nuisance and danger to public health and safety caused by bees.

## Proposed management under the NSW Biosecurity Act 2015

### Prohibited matter

Acariasis Tracheal mite, Tropilaelaps mite, Varroa mite, Braula fly, Africanised honeybees, Asian honeybee, Dwarf honeybee, and Giant honeybee have been included as **Prohibited Matter** in Schedule 2 to the Biosecurity Act.

Prohibited matter is tightly regulated, and it is an offence to deal with it in any way other than under the most limited and controlled circumstances (e.g. research permits). A legal duty to notify also applies where prohibited matter is present or suspected to be present.

If an authorised officer knows or suspects that there is prohibited matter on a property, he or she may accept a **Biosecurity Undertaking** from the owner or person in charge (and adjoining property holders) or issue a **Biosecurity Direction** to the person in charge (and adjoining property holders). A biosecurity undertaking or biosecurity direction will detail the actions and requirements that must be undertaken with respect to the prohibited matter.

An **Emergency Order** or **Control Order** can also be implemented to respond to an incursion of a pest or disease that poses a significant biosecurity risk. The orders are designed to isolate, prevent the spread and eliminate the biosecurity matter. The Biosecurity Act allows the Secretary and Minister to take action regardless of whether the biosecurity matter is on the prohibited matter list.

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## General Biosecurity Duty (GBD) and Mandatory Measures

The Biosecurity Act introduces the concept of shared responsibility via the inclusion of a **General Biosecurity Duty** (GBD). The GBD applies to all dealings with bees and pests and diseases that affect bees in NSW.

The GBD requires any person dealing with biosecurity matter or a carrier of biosecurity matter (e.g. bees, bee products, hives and apiary equipment) and who knows or ought to know of the biosecurity risks associated with that dealing to take measures to prevent, minimise or eliminate the risk as far as is reasonably practicable. For example, the GBD would require persons dealing with bees to know how to minimise the impact and spread of brood disease by ensuring good hygiene practices are observed when handling apiary products or appliances. The GBD also applies to endemic pests and diseases of bees and the risks associated with abandoned and neglected hives and nuisance bees.

It is also proposed to introduce a **Mandatory Measures**, which are regulations that will:

- regulate potential *carriers* of Braula fly entering NSW from Tasmania. The carriers that will be regulated include bees, bee products, hives and apiary equipment; and
- require notification of the presence or suspected presence of certain endemic bee pests and diseases, including American foulbrood, European foulbrood, Chalkbrood, Small hive beetle and Nosemosis.

How you can discharge your GBD may be outlined in Industry Standards, Codes of Practice, guidelines or through other advisory or education material.

The Biosecurity Act includes various offences for failing to discharge the GBD.

If an authorised officer knows or suspects that there is a biosecurity risk, he or she may accept a **Biosecurity Undertaking** from the owner or person in charge of the hives or issue a **Biosecurity Direction** to the person in charge. A biosecurity undertaking or biosecurity direction will detail the actions and requirements that must be undertaken with respect to the risk. An Authorised Officer can also exercise their powers to promptly move or seize hives where they pose a biosecurity risk, such as posing imminent danger to public safety.

## Registration

The Act provides for the registration of a person to engage in a '**registrable dealing**'. Keeping managed honeybees (bee of the genus *Apis mellifera* L) will be a registrable dealing in NSW. Registration will require the payment of a registration fee and conditions may be attached to registration such as the requirement to identify beehives.

Any registration under the Apiaries Act that is in force when the Biosecurity Act commences will automatically be taken as registration under the new Act and will be subject to the same conditions as under the Apiaries Act. Once the registration expires, renewal under the Biosecurity Act will be required.

## What do you think?

We value your comments on how we can improve our biosecurity system and look forward to receiving your input into this important process.

Please complete the following survey on 'Beekeeping in NSW' at:  
<https://www.surveymonkey.com/r/beekeepinginnsw>.

Alternatively, submit your feedback **by Friday, 12 February 2016** via [email](#) or post to:

Biosecurity Act 2015

NSW Department of Primary Industries

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For more information about the *Biosecurity Act 2015* and regulatory framework, please visit [www.dpi.nsw.gov.au/biosecurityact](http://www.dpi.nsw.gov.au/biosecurityact).

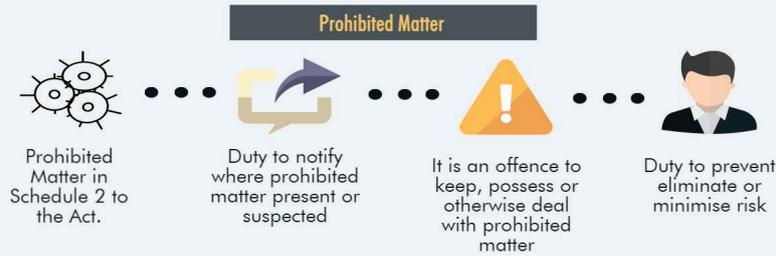
# NSW Beekeeping Industry

## Biosecurity Act

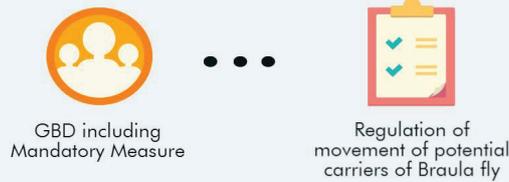
### How will it work?

The Biosecurity Act 2015 will repeal the Animal Diseases and Animal Pests (Emergency Outbreaks) Act 1991, the Stock Diseases Act 1923 and the Apiaries Act 1985, and provide the framework for managing biosecurity risks in the beekeeping industry.

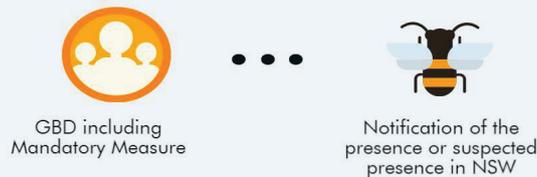
**Acariasis Tracheal mite, Tropilaelaps mite, Varroa mite, Braula fly, Africanised honeybees, Asian honeybee, Dwarf honeybee and Giant honeybee**



### Potential carriers of Braula fly from Tasmania



**American foulbrood, European foulbrood, Chalkbrood, Small hive beetle and Nosemosis.**



**Endemic pests and diseases, abandoned and neglected hives and nuisance bees**



### Keeping of Honeybees

