

Queensland Beekeepers' Association Inc.



Branches at:

Brisbane:

Toowoomba:

Wide Bay:

Stanley River:

Warwick:

State President: Trevor Weatherhead

State Secretary: Bob Johnson

15 December 2011

The Queensland Beekeepers Association Inc (QBA) welcomes the opportunity to put a submission before the Environment, Agriculture, Resources and Energy Committee (EAREC) of the Queensland Parliament regarding the review of the Biosecurity Bill 2011.

The QBA is concerned that there are aspects of the Apiaries Act of 1982, which the new Biosecurity Bill is aimed at replacing, that will not be in the best interest of our Industry.

As a background, the QBA was first involved in discussing a new Biosecurity Bill with the old Department of Primary Industries as far back as 1993. In recent years we did get some briefing and when the exposure draft of the Bill came out, the QBA put in a submission which raised many questions. To date, these questions have not been answered. From our perusal of the Bill, it would seem that there is only one point in our first submission that has been included.

We have been told that some aspects we have raised will be addressed by Codes of Practice (COP) but there is no guarantee that this will happen.

One area we have raised is the retention of some system of apiary site classification and distances between apiary sites as is currently in the Apiaries Act of 1982. We see this as a biosecurity issue that needs inclusion in the new Bill.

One of the biggest worries is the enforcement of the Biosecurity Bill. Currently the Department does not enforce the Apiaries Act despite urging by our Industry, which is a source of frustration for us.

Our two submissions to the Department are attached. Our second submission was put in after the closing date so the QBA realises that there is a reason why some of these points were not included in the draft bill.

If the EAREC is to hold public hearings, the QBA would welcome the opportunity to appear before the EAREC.

*Trevor Weatherhead,
President*

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1 September 2011

SUBMISSION BY

THE QUEENSLAND BEEKEEPERS ASSOCIATION INC

ON THE EXPOSURE DRAFT OF

THE BIOSECURITY BILL 2011

Introduction

The Queensland Beekeepers Association Inc. (QBA), which was established in 1886, is the peak body representing beekeepers in Queensland. It has branches at:-

- Brisbane, based in the Brisbane, Ipswich, Gold Coast areas
- Warwick, based from Kalbar to Goondiwindi
- Toowoomba, based from Laidley to Roma
- Stanley River based from Petrie to Nambour
- Wide Bay, based from Gympie to Bundaberg and west to Kingaroy and Murgon
- It has two sub-branches. One based on the Sunshine Coast and the other based on Cairns.

Many of the amateur Beekeeping Associations in Queensland are affiliated with the QBA.

The QBA is a member of the Federal Council of Australian Apiarist's Association (FCAAA) and also a member of the Australian Honey Bee Industry Council (AHBIC) which is the peak body representing beekeepers in Australia (see www.honeybee.org.au)

General Comments

The Queensland Beekeepers Association (QBA) welcomes the opportunity to supply comments of the exposure draft of the Biosecurity Bill 2011. The QBA has been in consultation re this draft for many years now. Despite these consultations there are several aspects not covered in the Bill which the QBA sees as vital.

1. The Apiaries Act of 1982 had provision for classes of apiaries and a distance between them. This was introduced in the Apiaries Act of 1947. This is clearly a biosecurity aspect as at the time of the introduction, the late Charles Roff, the apiary officer with the Department, said one of the main reasons for this introduction was to stop robbing of hives if apiaries were too close. So the old half mile was introduced so that a neighbouring beekeeper could work hives and not be subject to robbing. Robbing is not desirable as this leads to the spread of disease, clearly a biosecurity issue. The QBA submits these distances need to be retained.
2. With these classes, there was a class D which allowed for isolated matings to occur. The QBA would submit that there needs to be a recognition of a class D apiary but that it needs to be revamped from the current Apiaries Act of 1982 to not now need the number of hives on the site.
3. There is no provision in the current draft for prohibited apiary sites. This is a vital part of biosecurity particularly in regard to public safety which is an area identified in this draft Bill. The QBA submits that this aspect needs to be included.
4. There is no provision for bees to be kept in a frame hive. This is essential to allow for inspection of hives for disease, clearly a biosecurity issue. The use of non-frame receptacles such as skeps has no place in beekeeping in Queensland.
5. The QBA can find no provision for dealing with abandoned hives. This clearly is needed to allow for hives that are abandoned and pose a disease threat to be dealt with.
6. Under the Apiaries Act of 1982 there was a provision in section 20 to allow an Inspector to order a hive to be in a condition that allows for inspection. Clearly this needs to be included as inspection is vital to disease control.
7. Section 24 of the Apiaries Act of 1982 gave specific details about not keeping or selling diseased hives. The QBA would submit that this aspect is vital to biosecurity.

8. Whilst the QBA has been diligent in making these comments and those below, it is clear that there may be some aspects that have been overlooked in the short time available to review this draft bill.

We submit that a Mandatory Code of Practise will be necessary to ensure that beekeepers comply with Biosecurity issues that do not appear to have been included in this Exposure Draft.

So, in the future, the QBA may need to come back with further comments. The QBA would also appreciate feedback on the questions raised in this submission. The QBA is willing to attend a meeting to address these points raised.

Specific comments

- Section 24 – what is the definition of economy – does it include a beekeeping business – actions that impinge upon a beekeepers business causing that beekeeper economic damage?
- Section 43 – as this section does not include feeding honey where in this new act is feeding honey included? – feeding honey is a disease risk
- Section 65 – does not differentiate between mandatory COP’s and voluntary COP’s
- Section 66 (4) – the QBA would submit that if it involves beekeeping matters then the chief executive **must** consult with the QBA as the peak body for beekeeping in Queensland and not be “considers the entities to have an interest”.
- Section 68 (5) – the QBA is concerned that this section allows for the chief executive to make guidelines without consultation with entities.
- Section 71 (c) – if an audit is conducted and breaches are found what provision is there for action to be taken?
- Section 73 (b) - how will reimbursement of cost be determined?
- Section 73 (c) (i) – what happens if there are costs over and above the previously agreed response plan
- Section 73 (3) – there would be an agreed response to a biosecurity event that could be predicted – however how long would it take to implement an agreement to a biosecurity event that was not foreseen?
- Section 116 (a) (x) – it says “bees” here and in many other places- does this only mean *Apis mellifera*?
- Section 117 – the QBA notes that bees are not included here – is this so as action is not needed under certain sections e.g. 174?

- Section 126 (1) – there is provision for a maximum penalty of 100 penalty points here – the QBA would submit that there must be provision here for “on the spot fines” – there have been no prosecutions of unregistered beekeepers under the current Apiaries Act of 1982 despite many representations by the QBA – this leads to non compliance which then puts in jeopardy the integrity of the Act and its need for its biosecurity function – if the current attitude of the Department to prosecutions under the new Biosecurity Act is maintained then there will be no prosecutions - a prosecution would be a deterrent leading to compliance and so the QBA would submit that “on the spot fines” provides a deterrent to those who fail to register and thus put the biosecurity function at risk in the event of a biosecurity event
- Section 127 (3) (c) (i) – it only mentions hive singular – what about more than one (1) hive?
- Section 127 (3) (ii) – at what point of introduction of the hives does the “registration exemption” have to applied for? – there is no time frame here – as it currently reads the person could apply on the 89th day after introduction – there needs to be a provision to apply for the “registration exemption” within a set time period of the introduction of the hives e.g. 7 days –
- Section 127 (3) (iii) – why would it be a requirement to comply with the law in the State from which the hives have come from? – the QBA would submit that once any hives arrive in Queensland they must comply with Queensland law – there could be instances where the interstate law is weaker than the Queensland law and as such could put our biosecurity at risk
- Section 129 (c) (i) – the QBA would submit that all sites that could be kept should be listed – this could be achieved by adding after “happens” “may happen” – the rationale for this is that beekeepers use many sites at various times of the year – they will not know at the time of registration all the sites where they will be keeping hives in the period leading up to the next registration – so any need to identify where hives are located in the event of a biosecurity response will be hampered by not having all potential sites listed by the beekeeper
- Section 129 (c) (iii) – are the address and contact details necessary – for many owners of properties that may allow beekeepers to put hives on their property they may see information, other than their name, as too much information and thus the beekeeper may be denied access to this valuable site
- Section 129 (c) (v) – assuming we have beekeepers list all current sites and potential sites, beekeepers are often not sure of how many hives will be located on a particular site – for identification in the event of a biosecurity event it is not important to have the number of hives accurately listed – the importance is having the site identified in the registration system
- Section 130 (2) (a) – if an application is refused does this mean that the person cannot keep bees?
- Section 130 (2) (b) (iii) – what is “the biosecurity risk status details”?
- Section 133 (1) – it says “may apply” – if a person ceases to be a registrable biosecurity entity the QBA would suggest that they “should apply” for deregistration

- Section 135 – whilst the registration cannot be transferred is there the ability to transfer the hive identification number (HIN)?
- Section 138 (1) – here again the QBA would submit that there should be the ability for the issuing of “on the spot fines” for an offence here – again the QBA would point out that there has not been a prosecution under the Apiaries Act of 1982 for not being registered
- Section 141 (2) – why is this section here? – the QBA can see no reason for this section
- Section 141 (3) – this is good but is contrary to section 141 (2)
- Section 141 (5) – the QBA would argue for the inclusion of a provision for the brand issued under the Apiaries Act of 1982 to become the HIN under the new Biosecurity Bill.
- Section 141 (6) – the QBA would submit that here there should be the provision for “on the spot fines” – the QBA is unaware of any prosecutions under the Apiaries Act of 1982 for this offence
- Section 142(2) – here again the QBA would submit that this should be an “on the spot fine”
- Section 142 (3) (b) – why is the residence of the employee included here?
- Section 144 (1) – why is it only “may apply”? – the QBA would submit that it should be necessary to renew the registration in the same way that it is compulsory to register in the first instance – the QBA submits that the renewal must be sent out to the beekeeper
- Section 144 (2) (a) – see above re renewals being sent out
- Section 144 (3) – what happens if the renewal is refused? Does this mean the person can no longer keep bees?
- Section 147 – under this section, does it mean that if the registration is suspended or cancelled the person can no longer keep bees?
- Section 152 (1) - again if the registration is suspended, is the person no longer able to keep bees?
- Section 163 – a beekeeper may obtain a new site for keeping bees which does not appear on the register – under the current Apiaries Act of 1982, beekeepers update their sites when they receive the renewal notice – is it the intention here that beekeepers need to fill out a “change notice” if they obtain a new site? – If hive numbers change on a site does this then require a “change notice”? – the QBA would submit this is not necessary as hive numbers are not the crucial issue, the site location is
- Section 165 (1) – does this mean that the public has access to the register or will it be restricted as in (2)?
- Section 165 (2) (c) – currently there are occasions when other State Government Departments or local authorities wish to obtain the details of a brand – this could be because the hives are under threat e.g. fire

or the bees are causing a public nuisance – the QBA submits that details here should be granted – however in this provision only DERM or other State or Commonwealth Departments can have access – there is no provision for other Queensland Departments or Queensland local authorities to have access – the QBA submits this should be the case

- Section 165 (2) (f) (i) – beekeepers have been concerned for many years that there are beekeepers who do not take disease control seriously – this has resulted in American foulbrood (AFB) being caught by a beekeeper from another nearby who was not vigilant, potentially causing severe economic devastation, particularly to a commercial operation– currently there is no provision for a beekeeper to find out if a neighbouring beekeeper has been or is diagnosed with AFB – will this now allow beekeepers to find out the disease status of a neighbouring beekeeper?
- Section 192 – does this section cover bees?
- Section 193 – does this section cover bees?
- Section 194 – does this section cover bees?
- Section 195 – does this section cover bees?
- Section 197 – dos this section cover bees?
- Section 230 – does this section mean that if a COP is set up then there must be a surveillance program?
- Section 242 (2) – peak bodies should be included as one of those to given notice

Trevor Weatherhead

President

SUPPLEMENTARY SUBMISSION BY
THE QUEENSLAND BEEKEEPERS ASSOCIATION INC
ON THE EXPOSURE DRAFT OF
THE BIOSECURITY BILL 2011

The Queensland Beekeepers Association Inc. (QBA) has previously presented a submission on the exposure draft of the Biosecurity Bill 2011. Since sending in that submission, there are several other aspects of the Bill that the QBA would also like to comment on, hence this supplementary submission.

- Chapter 9 Inspectors – The QBA submits that an Inspector or Authorised Person who is trying to establish who owns beehives on a property or wants to examine the hives for the presence of disease may be inhibited by the powers in this Bill. Many times the hives may be out in the middle of nowhere with no brands, as required under this Bill, being present. If the Inspector had to follow the procedures as per this Bill then there is every possibility that it would not happen as the Inspector would need to go away and financial considerations may preclude returning to the area. What is needed is a common sense approach to establishing ownership or the presence of disease
- Schedule 2 part 2 page 374 – Under *Tropilaelaps mite* add *T. mercedesae*. See paper “Genetic and morphological variation of bee-parasitic *Tropilaelaps mite* (Acari:Laelapidae): new and re-defined species” Exp Appl Acarol (2007) 43:1-24. Another aspect of this paper is that *T. koenigerum* has not been recorded to date on *Apis mellifera* but there is no guarantee that it will not cross over at some time in the future. Consideration should be given at this stage of the Bill as to whether it should be included now or wait until it does cross over.
- There are other mites e.g. *Euvarroa* which presently do not reproduce on *Apis mellifera* but there is no guarantee that they will not in the future. Should these be added at this time or do we need to wait for evidence that they are reproducing on *Apis mellifera* before they can be added?
- Schedule 2 part 7 page 382 – add Cape bee *Apis mellifera capensis*

- Schedule 2 part 7 page 382 has *Apis cerana* but excludes *A. dorsata* and *A. florea*. The QBA would submit that both *dorsata* and *florea* should be included in this part along with *A. laboriosa*, *A. andreniformis*, *A. nigrocincta*, *A. koschevnikovi* and *A. nuluensis*. All these are unwanted in Queensland.
- Schedule 2 part 7 page 385 lists *Bombus terrestris*. What about the other species in the *Bombus* genus? They are just as unwanted.
- Schedule 3 part 1 – do we need European foulbrood and small hive beetle listed here? They are listed as Category 1 which means they must be reported. What advantage is there in having these reportable? Maybe for exports?
- Should it be *Apis cerana* java genotype instead of *Apis cerana javana*?
- Schedule 4 dictionary page 399 has as part of the definition of bee “a honey bee *Apis mellifera* L.” The QBA submits that this definition could allow the inclusion of any subspecies of *A. mellifera* which is not what is wanted. There are many subspecies that would need careful consideration before being allowed to be kept in Queensland. Somehow the definition needs to be such that the subspecies allowed to be kept are *ligustica*, *carnica* and *caucasica*. As we have *mellifera* here in the wild, it would also need to be accounted for.

Trevor Weatherhead

President

24 October 2011