



Queensland

# Biosecurity (White Spot Syndrome Virus) Amendment Regulation 2017

## Subordinate Legislation 2017 No. 90

made under the

*Biosecurity Act 2014*

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[s 1]

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**1 Short title**

This regulation may be cited as the *Biosecurity (White Spot Syndrome Virus) Amendment Regulation 2017*.

**2 Regulation amended**

This regulation amends the *Biosecurity Regulation 2016*.

**3 Insertion of new ch 5, pt 12**

Chapter 5—

*insert—*

**Part 12 White spot biosecurity  
zone regulatory  
provisions**

**94A Establishing biosecurity zone—Act, s 128(1)(a)**

The whole of the State is established as a biosecurity zone (the *white spot biosecurity zone*) for the *white spot syndrome virus*.

**94B Biosecurity areas—Act, s 129(1)(c)**

- (1) The chief executive may, under section 129(1)(c)(i) of the Act, establish particular areas (each a *biosecurity area*) within the white spot biosecurity zone.
- (2) The chief executive may, under section 129(1)(c)(ii) of the Act, provide for lesser restrictions, in relation to a biosecurity area, than would otherwise apply in relation to the area under this part.

### **94C Restriction on moving white spot syndrome virus carriers**

- (1) A person must not move a white spot syndrome virus carrier from a place in the regulated movement area to a place outside the area.
- (2) However, a person may move the carrier if—
  - (a) the carrier is cooked; or
  - (b) the carrier is an excluded carrier; or
  - (c) all of the following apply—
    - (i) there is a compliance agreement for the carrier;
    - (ii) the other party to the agreement holds a compliance certificate under the agreement for the carrier;
    - (iii) if the carrier is removed from the business premises of the other party to the agreement—
      - (A) the carrier is in a sealed container; and
      - (B) the seal of the container is not broken when the container is in the regulated movement area; or

*Note—*

For compliance agreements and certificates see chapter 14, part 3 of the Act.

- (d) all of the following apply—
  - (i) the carrier is being transported between 2 places outside the regulated movement area through the regulated movement area;
  - (ii) the carrier is transported in a sealed container;

- (iii) the seal of the container is not broken when the container is in the regulated movement area.

*Notes—*

- 1 A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.
- 2 See section 94B for the establishment of biosecurity areas to which lesser restrictions may apply.

- (3) In this section—

***excluded carrier*** means a white spot syndrome virus carrier that is—

- (a) a blue swimmer crab (*Portunus armatus*); or
- (b) a bug (*Ibacus* spp. and *Thenus* spp.); or
- (c) a mud crab (*Scylla* spp.); or
- (d) a red champagne lobster (*Linuparus trigonus*); or
- (e) a redclaw (*Cherax quadricarinatus*); or
- (f) a slipper lobster (*Scyllarides* spp.); or
- (g) a spanner crab (*Ranina ranina*); or
- (h) a three-spotted crab (*Portunus sanguinolentus*); or
- (i) a tropical rocklobster (family *Palinuridae*).

***regulated movement area*** means the white spot biosecurity zone other than a biosecurity area established for the purpose of permitting unrestricted movement of a white spot syndrome virus carrier.

### **94D Restrictions on fishing in white spot biosecurity zone**

- (1) A person must not engage in fishing in the white spot biosecurity zone—

- 
- (a) in a drainage channel, or an intake channel, used by a prawn facility; or
  - (b) within 100m of an intake or outlet of a channel mentioned in paragraph (a).
- (2) However, subsection (1) does not apply if the person—
- (a) is fishing with the consent of the owner of the facility; or
  - (b) did not know, and could not reasonably have known, the facility was a prawn facility.

*Notes for subsections (1) and (2)—*

- 1 A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.
  - 2 See section 94B for the establishment of biosecurity areas to which lesser restrictions may apply.
- (3) In this section—
- fishing* see the *Fisheries Act 1994*, schedule.

#### **94E Owner of prawn facility to identify drainage channels and intake channels**

- (1) This section applies to an owner of a prawn facility located in the white spot biosecurity zone.
- (2) The owner must ensure that each drainage channel and intake channel used by the facility, and each intake and outlet of the channels, is identified by signage in a form approved by the chief executive.

*Notes—*

- 1 A biosecurity instrument permit, under chapter 6, part 4 of the Act, may authorise non-compliance with a biosecurity zone regulatory provision.
- 2 See section 94B for the establishment of biosecurity areas to which lesser restrictions may apply.

[s 4]

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**4 Amendment of sch 3 (Code of Practice for Feed for Food Producing Animals)**

- (1) Schedule 3, section 3, definition *Food producing animal*, paragraph (b)(iv), ‘fish other’—

*omit, insert—*

fin fish other

- (2) Schedule 3, schedule 3—

*insert—*

***fin fish*** see the *Fisheries Regulation 2008*, schedule 11, part 2.

**5 Amendment of sch 11 (Dictionary)**

Schedule 11—

*insert—*

***biosecurity area*** see section 94B(1).

***drainage channel***, in relation to a prawn facility, means a channel or structure in which water flows from the facility to a body of water not forming part of the facility.

***intake channel***, in relation to a prawn facility, means a channel or structure in which water flows from a body of water not forming part of the facility into the facility.

***prawn facility*** means a land-based premises at which aquaculture activities are carried out under an authority under the *Fisheries Act 1994* if—

- (a) prawns (family *Penaeidae*) are grown at the facility; or
- (b) less than 1 year has elapsed since prawns (family *Penaeidae*) were grown at the facility.

***white spot biosecurity zone*** see section 94A.

***white spot syndrome virus carrier*** means—

- (a) a decapod crustacean; or
- (b) a polychaete worm.

ENDNOTES

- 1 Made by the Governor in Council on 15 June 2017.
- 2 Notified on the Queensland legislation website on 16 June 2017.
- 3 The administering agency is the Department of Agriculture and Fisheries.

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