

27 October 2022

Varroa Mite Emergency Response Program - assessment and payment of eligible costs - Guidelines for Commercial Beekeepers in the Purple Surveillance Zone (Purple Zone)

Program Guidelines

1. Objectives

To reimburse registered commercial beekeepers in the Purple Surveillance Zone for hives affected by biosecurity operations to control the declared varroa mite biosecurity emergency under the compensation provisions at Part 19 of the *Biosecurity Act 2015*.

2. Assistance Available

2.1 The following voluntary options for financial reimbursement are:

- a. euthanasia of bees: \$290.00 (nucleus colony with 5 frames) plus \$7.85 per additional brood box frame (maximum of 5 frames)

OR, if you chose not to euthanasia bees

- b. the value of products forgone (honey) - 1 super of honey minus costs of production: \$117.00

2.2 the Rural Assistance Authority (RAA) will endeavour but is not obliged to provide advance notification of early closure or an extension of the program.

2.3 an applicant's unawareness of, or lack of notification by the RAA, of early closure of the program will not be grounds for consideration of claims submitted after the program officially ends.

3. Eligibility Criteria

Commercial beekeepers must:

- 3.1 be a DPI-registered beekeeper
 - 3.2 have an Australian Business Number (ABN) linked to the Australian and New Zealand Standard Industrial Classification (ANZSIC) beekeeping code (01930)
 - 3.3 be a trading entity with tax returns showing you or your business were in active production at the time of the emergency response
 - 3.4 have a DPI varroa case number as part of the varroa mite response (in the Purple Surveillance Zone)
 - 3.5 have been sent a claim link by an authorised officer to the RAA's reimbursement form.
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4. Assessment

- 4.1 Claims will be assessed against the eligibility criteria and provisions under Part 19 of the *Biosecurity Act 2015*. Claims must include a DPI biosecurity case number. Note, the *Biosecurity Act 2015* includes grounds for refusal of compensation, and the Secretary can consider these grounds when assessing an application for compensation. For example, compensation may not be payable if an applicant has committed an offence under the *Biosecurity Act 2015*, including the Biosecurity (Varroa mite) Emergency Order 2022, as amended from time to time.
- 4.2 When asking for financial information, the RAA can ask for financial statements, tax returns or other financial records that indicate that the claimant operated a business that was trading at the date of the imposition of the quarantine order or the date of the destruction of plants.
- 4.3 The RAA reserves the right to request further information from *you* or from any business or individual *you* have engaged, to assist in assessing *your* claim and to verify any information provided in *your* claim. Failure to provide such information may result in the RAA refusing *your* claim.
- 4.4 The RAA reserves the right to refuse a claim where eligibility criteria are not met, or where the claimant does not or cannot provide sufficient information for the RAA to determine if eligibility criteria have been met.
- 4.5 Claims submitted may be subject to audit by the RAA or its agents in order to determine compliance with these guidelines.
- 4.6 Complete claims will be assessed in order of receipt. Incomplete claims will not enter the assessment queue until all required information is provided. Claim assessments will commence from a submitted claim.

5. Important Information

- 5.1 These guidelines are correct at the time of publishing.
- 5.2 These guidelines must be read in conjunction with the *Fact sheet on Reimbursement for registered commercial beekeepers in the eradication zone*.
- 5.3 The RAA reserves the right to amend, alter or change these guidelines at any time. It is the responsibility of the applicant to ensure that they check the relevant website prior to making a claim.
- 5.4 Without limiting any rights, the RAA (or another NSW agency) in its sole discretion may recover funds from the claimant and determine that a debt is due if evidence indicates that the claimant:
 - a. did not meet the eligibility criteria
 - b. received an over-payment of the reimbursement.

6. Fraudulent claims and auditing

- 6.1 The RAA takes fraud and corruption seriously. Suspected fraud will be assessed and investigated as appropriate, which may require the involvement of external parties such as the NSW Police Force or the NSW Independent Commission Against Corruption (ICAC).
- 6.2 By signing the claim form, you are declaring that the information provided in the claim form and supporting documentation is true and accurate. It is an offence under the *Biosecurity Act 2015* to lodge a claim for compensation knowing that it is false or misleading in a material particular or is concerned with any fraudulent act or omission for the purpose of obtaining compensation for the claimant or any other person.
- 6.3 Providing inaccurate, untrue or misleading information may be a breach of the Rural Assistance Act 1989 or criminal law for which serious penalties may apply.

6.4 The RAA responds to fraud by:

- audit and site validation of claims that are of concern
- referral to the NSW Police Force or ICAC of suspected fraud
- recovery of any assistance provided under a fraudulent claim.

6.5 A claim approval, or payment of a claim against an approved claim, may be delayed where:

- assistance previously provided by this or any other related NSW government grant program cannot be validated or
- the outcome of relevant legal or validation actions may impact the decision to grant further assistance.

6.6 The RAA regularly undertakes random spot auditing of claims to determine adherence to eligibility and legitimacy of claims.

7. Submitting Your Claim

An authorised officer will provide a direct link to the online application form.

If you need assistance with submitting your claim, please contact us by phone on 1800 678 593 or by email at rural.assist@raa.nsw.gov.au. Please check the RAA website for the latest information regarding the closing date.

If you have difficulty understanding these guidelines or completing the claim form you should seek the assistance of your rural/financial counsellor, business advisor, accountant or a trusted family member/friend.

If you need assistance with interpreting or translating, please contact Multicultural NSW on 1300 651 500 or email languageservices@multicultural.nsw.gov.au.

8. Definitions

Approval – your claim will be approved based on your eligibility with the criteria listed in 4) above. Your invoices will then be approved based on their eligibility with the criteria listed in 5) and 6) above. In the event of an early close, the RAA will pay claims ranked by date received, up to the allocated funding.

Bee – means a managed bee of the species *Apis mellifera* L. or any other species of managed bee prescribed in the Biosecurity Regulation 2017 for the purposes of this definition.

Hive – means an artificial receptacle designed for housing living bees and includes the contents of the receptacle, 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: A hive includes a nucleus beehive.

Submitted claim – a claim that includes all required documentation to be eligible for the payment.

You and Your in the context of these guidelines and the related application process refers to the applicant and can be taken to refer to a sole trader, company, partnership or trust. The RAA takes you as having authority to make an application on behalf of the entity applying.

Terms and Conditions

This information is collected by the collecting agency identified in this form in relation to its functions under the *Biosecurity Act 2015*. This agency/s and the NSW Department of Primary Industries 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*.

Government Information (Public Access) Act

Applicants should be aware information submitted in applications and all related correspondence, attachments and other documents may be made publicly available under the *Government Information (Public Access) Act 2009* (NSW). Information that is deemed to be commercially sensitive will be withheld.

The *Government Information (Public Access) Act 2009* (NSW) makes government information accessible to the public by:

- requiring government agencies to make certain sorts of information freely available
- encouraging government agencies to release as much other information as possible
- giving the public an enforceable right to make access applications for government information
- restricting access to information only when there is an overriding public interest against disclosure.

Complaints

Any concerns about the Varroa Mite Reimbursement Program should be submitted in writing to rural.assist@raa.nsw.gov.au.

If you do not agree with the way the Department has handled the issue, you may wish to contact the NSW Ombudsman via www.ombo.nsw.gov.au.

Getting Support

More information about this Varroa Mite Reimbursement Program, including frequently asked questions, are available at www.dpi.nsw.gov.au/varroa and www.raa.nsw.gov.au.

If you require assistance or advice with your application, please contact the RAA on 1800 678 593 or rural.assist@raa.nsw.gov.au.

Disclaimer

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The Department recommends that users exercise care and use their own skill and judgment in using information from this publication and that users carefully evaluate the accuracy, currency, completeness, and relevance of such information. Users should take steps to independently verify the information in this publication and, where appropriate, seek professional advice.

Funding assistance provided through the Program is subject to funds being available. The Department reserves the right to make changes to the Program to ensure it meets the objectives outlined in these guidelines and provides equitable funding support to applicants.

These guidelines are subject to change at any time at the sole discretion of the Department.

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