

December 2016

Contact PIRSA Alkaloid Poppy Cultivation Scheme
Phone: 1300 799 684 Email: PIRSA.poppycultivation@sa.gov.au

Applying for a Licence

WHO CAN APPLY FOR A LICENCE

A poppy cultivation licence may be held by a natural person (sole trader, partner or trustee) or a body corporate. If the licence is to be held by:

- A sole trader, the licence will be in their legal name
- A partnership, only one of the partners can apply for and hold a licence in their legal name
- A company, the licence will be held in the company name.

A trustee may apply for and hold a licence if they have sufficient control over business (eg a trust set up for financial reasons may not be appropriate).

ELIGIBILITY TO HOLD A LICENCE

For the purpose of preventing criminal activity in the cultivation of poppies, an applicant and associates of the applicant must meet fit and proper person requirements under the Act including:

- Not having been found guilty of a serious offence (in or outside SA) within the last 10 years
- Being suitable persons to be concerned in or involved with the cultivation of poppies

The applicant's property also needs to be suitable for the cultivation of poppies in respect of location, facilities and security arrangements as addressed in the proposed risk management plan.

Consideration may also be given to whether:

- The applicants and associates are of good repute, having regard to character, honesty and integrity
- The applicant is of sound and stable financial background
- There is a satisfactory ownership, trust or corporate structure in place

Step 1 – Grower registers interest with a processor licensed in SA

The processor currently licensed in SA is [TPI Enterprises Ltd](#):

Phone: +61 3 6398 5254 Email: agri@tpienterprises.com Website: www.tpienterprises.com

Growers interested in growing poppies in SA should register their interest with the licensed processor and select 3 potential poppy cultivation areas if the opportunity is to be pursued.

Step 2 – Grower enters into a contract with the licensed processor

In order to apply for a poppy cultivation licence, a prospective grower must have entered into a contract with a licensed processor (subject to PIRSA granting a cultivation licence). This provides required evidence that the applicant intends to undertake a bona fide commercial activity relating to the therapeutic use of alkaloid poppies under the licence.

Step 3 – Grower submits poppy cultivation licence application to PIRSA

A licence application form is available from the Alkaloid Poppy Cultivation Scheme on phone 1300 799 684 or email PIRSA.PoppyCultivation@sa.gov.au

The application form requires the following details to be completed:

- Application type
- Applicant details
- Details of all partners, trustees, and directors for South Australia Police probity check
- Information on the specified premises (usually made up of 3 proposed poppy cultivation areas)
- A list of all associates of the applicant and their details (refer to Attachment 2 – Associates)
- A list of employees and their details
- A declaration
- Payment details for the application fee (\$1750) and South Australia Police probity checks (\$200 per check)

The application must also include the following supporting documentation:

- A copy of a contract between the applicant and licensed processor
- National Police Record Checks for the applicant and for associates of the applicant
- A proposed risk management plan
- A map of the specified premises
- Relevant credit report(s)
- Record of registration of business name (if applicable)
- Current company extract from the Australian Securities and Investment Commission (ASIC) (if applicable)

Step 5 – PIRSA and South Australia Police assess application

Licence applications are determined by PIRSA within 60 days of receipt. The assessment process includes an initial site assessment to determine the suitability of the location, facilities and security arrangements as outlined in the proposed risk management plan for poppy cultivation.

PIRSA is required to forward all licence applications to the Commissioner of Police who has 28 days to consider fit and proper person matters to support or oppose the issuing of a licence. If the Commissioner of Police opposes an application, a licence will not be issued.

Step 6 – Application outcome

Assuming all requirements are met, PIRSA will issue the applicant with a licence to cultivate alkaloid poppies.

Step 7 – Contract registered in Alkaloid Poppy Register

Poppy cultivation can commence once a contract between a licensed grower and a licensed processor is registered in the Alkaloid Poppy Register. In order for a contract to be registered, a licensed grower must:

- Provide a copy of the contract to PIRSA and request that it be registered in the Alkaloid Poppy Register
- Pay the annual fee of \$910 for the recovery of compliance and administrative costs

PIRSA will check that the contract is valid, and includes details of:

- The specified premises as listed on the licence
- The area of land within the specified premises where alkaloid poppies will be cultivated
- The period of the contract

PIRSA will register or refuse to register the contract within 7 days. On making a decision, PIRSA will notify the licensed grower and the licensed processor who are the parties to the contract of that decision.

Step 8 – Site inspection

An authorised inspector will conduct a site inspection immediately prior to sowing to ensure that all security arrangements in the approved risk management plan have been put in place.

Step 9 – Cultivation commences

Poppy cultivation will commence in accordance with the Act, regulations and licence conditions. Site inspections will also be conducted by PIRSA authorised inspectors during the poppy cultivation period and post-harvest.