Guide for pest controllers and pest management technicians

This licensing guide for pest controllers and pest management technicians provides information about the lawful use of pesticides by pest controllers for fee or reward in South Australia

Licensing of the commercial pest control industry is designed to protect pest control operators, consumers, the wider community, and the environment from the harmful effects of pesticides.

Pest licences serve the following purposes:

- Authorises the licence holder to handle and apply pesticides to treat pests that the licence holder is qualified to undertake.
- Sets conditions under which the licence holder is permitted to use pesticides in addition to the requirements imposed by the Controlled Substances (Pesticides) Regulations 2017 (the Regulations). Licence holders must not contravene or fail to comply with a condition of the licence or the requirements under the regulations.

Legislation

Licences are issued in accordance with the *Controlled Substances Act 1984* and the Controlled Substances (Pesticides) Regulations 2017 (the Regulations) by Controlled Substances Licensing (CSL), SA Health under delegated authority from the Minister.

The regulations require that businesses (individuals and companies) offering pest control services for fee or reward, must hold the appropriate licence.

In South Australia, licensing of pest control businesses is required as well as licensing of individual pest technicians.

Under the Regulations, a license holders may only use the types of pesticides specified on their licence to undertake the types of pest control work specified on their licence.

Pest control licences

Pest controller's licence

In South Australia companies or individuals acting as sole traders who operate a pest control business must hold a Pest Controller's Licence (the business licence).

Operators who hold a commercial operator licence or registration issued as below are not required to hold a South Australian Pest Controller's Licence. A Full Pest Management Technician's Licence is still required.

- under the Agricultural and Veterinary Chemicals (Control of Use) Act 1995 of Tasmania, or
- as a commercial operator licence under the Agricultural and Veterinary Chemicals (Control of Use) Act 1992 of Victoria or
- are registered as a commercial pesticide firm under the *Health Act 1911* of Western Australia.

Pest management technician's licence

Limited Pest Management Technician (LPMT)

If you have not started or completed the courses required for the type of pest control work you wish to do, you must first obtain a LPMT licence. LPMT licences is a pathway to holding a Full Pest Management Technician's (FPMT) licence. LPMT licences are for individuals who are intending to be employed in the pest control industry and are not intended for seasonal or vacation workers.

A LPMT licence allows you to carry out pest control work under the supervision of a FPMT licence holder. A LPMT can only perform pest control work of the kind their supervisor is licensed to perform.

LPMT licence holders must undertake the relevant training courses as soon as practicable from the date the LPMT licence is first issued. A LPMT licence can only be held for a maximum period of two years (cumulative).

Once a LPMT licence holder has completed the units of competency required to qualify for a FPMT, an application to upgrade to a Full Pest Management Technician's licence can be submitted online at www.sahealthcsl.net/new-pest-control.

LPMT Supervision: There are two types of supervision:

- **Direct supervision** - the LPMT licence holder must carry out pest control work within sight **and** sound of their nominated supervising FPMT. The supervising FPMT must be physically present while the LPMT performs pest control work.
- **Indirect supervision -** this means working within sight **or** sound of a supervising FPMT. Working under Indirect Supervision is optional and is not prerequisite to being eligible to meet the requirements for a FPMT Licence.

Information on how to qualify for Indirect Supervision can be found on the SA Health website.

Full Pest Management Technician (FPMT)

The holder of a FPMT licence can undertake pest control work without supervision. To be eligible to apply for a FPMT licence, you must provide evidence of having successfully completed the units of competency training relevant to the type of pest control work you are seeking endorsement for. A nominated FPMT may supervise a LPMT.

Licence endorsements

Licence endorsements specify the type of pest control work that may be carried out and the type of pesticides that may be used by the licensee.

Information on competency training units required to be eligible for a specific endorsement may be found on the SA Health website.

Applying for a licence

To obtain a licence, an applicant must:

- Complete all sections of the relevant online application form.
- Submit proof of identity by including either:
  - a copy of the front and back of your driver's licence or
  - a statutory declaration that confirms identity.
- Applicants for Full Pest Management Technician's licence must also provide a recent photo for placement on their FPMT ID/license card. Only FPMTs are issued and an ID/licence card.
- Pay the appropriate fee (if required).
- Applicants for Full Pest Management Technician Licence must also:

- attach relevant certificates or statements of attainment to support the requested endorsements; and
- provide a recent photo for placement on their DPMT photo identification card.

Granting a licence

The Minister may grant a Pest Controllers licence if satisfied that the applicant holds or employs a person with a FMPT licence which authorises the holder to perform pest control work using the pesticides of the kind for which the pest controllers licence is sought. The applicant must have an adequate knowledge of the practices of conducting a pest control business, have appropriate equipment to perform pest control work and is otherwise a fit and proper person to hold a licence. If the applicant is a body corporate each director must be a fit and proper person to be a director of that body corporate.

The Minister may grant a FPMT licence if satisfied that the applicant has the qualifications required for the pest control work requested and is otherwise a fit and proper person to hold a licence.

The Minister may grant a LPMT licence if satisfied that the applicant will complete all training as soon as practicable, is employed by a Pest Controller to perform pest control work under supervision of a FPMT licence holder and is otherwise a fit and proper person to hold a licence.

Note – applicants may be requested to undergo a medical fitness test prior to the granting of a licence.

Refund policy

Refunds will not be granted once a licence has been issued, regardless of whether the pest control business ceases during the term of the licence or the licence holder ceases to work as a pest management technician.

Refunds in other circumstances are at the sole discretion of CSL.

Transferring a licence

Licences are not transferrable to other businesses or persons. If a pest control business is sold, the new owners must apply for a new Pest Controller's licence.

Renewals

Prior to licence expiration, licence holders will receive a renewal application notice. Licence holders are advised to check the licence details on the renewal application, complete any amendments if required and submit the renewal with payment as soon as possible, but at least by the due date for renewing the licence.

Licences which have exceeded their expiry date cannot be renewed. If the licence holder wishes to continue to perform pest control work after the expiry date of their licence, an application for a new licence is required.

Note - the applicant is not licensed during the period between the old expiry date and the grant of the new licence, so it is important to renew prior to the due date on the renewal application.

Pest control operators are reminded that in South Australia it is an offence to apply pesticides for fee or reward without an appropriate licence.

Notifications and amendments to licence

Under the Regulations licence holders are required to notify CSL as follows:

Pest Controllers must:

- Give written notice of any changes to the business name or the business or registered address within 14 days.
- Submit a Cessation of Employment form within 28 days of and employed FPMT or LPMT leaving their employment.

- Pest Management Technicians (LPMT and FPMT) must give written notification within 14 days if they are changing employment from one pest control business to another or are ceasing to be employed as a pest management technician.
- All licensees must provide timely notification of a change of address, email address or other contact details.

Requests to amend a licence or contact details can be made online.

Notification of Cessation of Employment forms can be made online.

Obligations of licence holders

All licences carry conditions and licence holders must ensure they read and understand the conditions of their licence. Failure to comply with a condition of licence may result in a breach of the legislation and penalties may apply.

All licence holders are required to:

- Only undertake pest control work under a current licence
- Only use the pesticides or classes of pesticides specified on the licence.
- Only undertake the type of pest control work specified on the licence.
- Only use the pesticides in accordance with the approved label for the container of pesticide, or, in accordance with the conditions of the AGVET Code Part 7 Permit
- Comply with all relevant provisions of the Controlled Substances (Pesticides) Regulations 2017
- Comply with any relevant obligations imposed by the Agricultural and Veterinary Products (Control of Use) Act 2002
- Comply with any relevant obligations imposed by the Work Health and Safety Act 2012
- If requested by SA Health, undertake a medical examination to monitor any exposure to pesticides.
- Maintain adequate knowledge of the pest control work authorised by their licence.
- Holders of LPMT licences must not make recommendations or give advice about the use of pesticides.

In addition to the obligations outlined above, pest controllers must:

- Maintain any premises and equipment used in the course of the pest controllers' business in a clean, efficient and safe working condition.
- Ensure any pesticide used in the course of the pest controllers' business is under the direct control of the holder of a FPMT licence.
- Ensure that any unused pesticide or container used to hold a pesticide in the course of the pest controllers' business is disposed of in a way that does not endanger the health of any person.

Pest management technicians must:

- Wear protective clothing to prevent contamination of their person.
- Have suitable first aid materials available.
- Not handle, use or dispose of pesticides in any way that endangers the health of any person.
- If a spillage occurs, clean and decontaminate the area.

Legislative requirements and best practice recommendations

Storage

Chemical storage areas should meet the following requirements

- The structure must be roofed, with adequate ventilation.
- The floor and shelving should be impervious (unable to absorb spills)
- An adequate supply of water is available to wash spillages.
- The structure must be constructed or located so that a spillage cannot drain into a water supply, watercourse or soak into the soil.
- Containers must have an approved label attached and kept securely closed.

Pest controllers should refer to SafeWorkSA for any additional chemical storage requirements.

Transport

The transport of pesticides for pest control purposes should meet the following requirements:

- The pesticides must be in securely closed container that are labelled with an APVMA approved label or with instructions for safe transport for pesticides that are subject to an Agvet Code Part 7 permit.
- The pesticides must not be left in an unattended vehicle, unless the vehicle has a lockable, enclosed storage facility securely fixed to the structure of the vehicle or secured by other security measures approved by CSL that prevent removal of pesticides from the vehicle.
- The driving compartment of the vehicle that is transporting the pesticide must be separated from the storage area by a gas-tight barrier.
- The pesticides may be transported in a securely closed spray tank that is securely fixed to the vehicle being used to transport the pesticide and the tank is prominently marked with the word “CAUTION” or “POISON”, and the name of the pesticide.

Prescribed Standards and Codes of Practice

Pest Controllers must ensure that the requirements of the prescribed standards and codes of practice are complied with.

Pest Management Technicians must perform pest control work consistent with the prescribed standards and codes of practice.

The prescribed standards and codes of practice are the current versions of the:

- Australian Standards – Termite Management Part 1 (New building work) and Part 2 (In and around existing buildings and structures
- Code of Practice for Diluting Pesticides from a Water Supply SA Health Code of Practice for filling tanks containing pesticides form a main water supply (PDF 707KB).
- Termiticides (Safe Use) Code of Practice SA Health Termiticide (Safe use) Code of Practice (PDF 289KB).
- Agvet Code – which is part of the State and Commonwealth scheme for the evaluation, registration and control of agricultural and veterinary chemical products. Pest Controllers

must ensure that mandatory statements on the approved label for the pesticide registered under the Agvet Code are complied with. Pest Management Technicians must perform work using registered pesticides and comply with mandatory statements on the approved label.

To learn more, visit the Understanding Pesticide Chemical Labels (PDF 992KB) published by the APVMA.

Spills and disposal

Spill Prevention:

Pest Management Technicians must prevent harm associated with spills by:

- Using the lowest toxicity pesticide possible
- Holding containers steady when mixing products
- Not mixing or storing pesticides near drains, stormwater outlets or waterways
- Ensuring containers are secured to vehicles and when in storage.
- Using warning signs when mixing and applying pesticides
- Keeping people and animals away from pesticide containers and treatment
- Having an emergency response plan

Spill management:

Pest Controllers and Pest Management Technicians must immediately report to SAPOL any large volume or high toxicity spillage.

Disposal of unwanted pesticide:

Always follow label instructions for chemical disposal and take care when disposing of any unused pesticide.

Animal carcasses and other animal waste:

Animal carcasses and other animal waste must be disposed of appropriately to prevent the spread of disease, reduce contamination and to ensure that poisoned animals do not become a secondary poisoning hazard to pets and wildlife.

Records

Pest Controllers must keep a record of:

- Each Pest Management Technician's name and address, date of birth, date commenced employment, date ceased employment, and pesticides handled or used by the technician.
- For each application of pesticide:
    - The date, time and location of the application and
    - Name and quantity of the pesticide applied and
    - The name of the pest management technician who applied the pesticide and
    - Proximity of other people to the area where the pesticide was applied and
    - For pesticides applied outside – the prevailing weather conditions in the area where the pesticide was applied.
    - For termiticides applied to a site before or during the construction of a building –
    - the total surface area of the land or building treated and
    - the name and principal place of business of the supplier of the termiticides.

Exemptions to licensing

Exemptions enable an individual to undertake pest control work for fee or reward without holding a Pest Management Technician's licence or a Pest Controller's licence.

The General Exemption

No licence or Statement of Exemption from the requirement to hold a licence is required if the pest control activities consist only of:

(a) The application of glyphosate by means of
    a. hand-held equipment with a tank having a maximum capacity of 15 litres or less or
    b. a brush or similar implement or
(b) Measuring, mixing, weighing, or otherwise preparing glyphosate for application by such means.

Statements of Exemption

Where the use of pesticides is secondary to the main activity undertaken, a person or business may be granted an exemption from the requirement to hold a licence. An exemption may be granted in cases where people or businesses who do not work in the pest control industry and do not satisfy the general exemption provisions need to use pesticides during their work. For example, in some instances landscapers, gardeners and lawn care contractors may qualify for a Statement of Exemption. Whether or not a person or business is eligible for a Statement of Exemption is at the discretion of CSL.

Automatic Mutual Recognition and Mutual Recognition of Interstate Licences

Automatic mutual recognition (AMR) is a scheme under which allows a person who is licensed or registered for an occupation in one jurisdiction to be considered licensed or registered to perform the same activities in another jurisdiction, and further application processes or additional fees are not required.

Jurisdictions participating in the AMR scheme for pest control:

- South Australia
- New South Wales
- Australian Capital Territory
- Northern Territory
- Victoria
- Western Australia.

Mandatory Notification

Pest control workers who are registered in their home state and are crossing the border to perform pest control work in South Australia must notify Controlled Substances Licensing prior to commencing work in South Australia by registering online. Pest control work which may be undertaken in South Australia is generally limited to the scope of work authorised in the home jurisdiction.

Any pest control work performed in South Australia must be done in compliance with the South Australian Controlled Substances (Pesticides) Regulations 2017.

More information on Automatic mutual recognition of pest management licensing is available on the SA Health website.

Mutual recognition

Mutual Recognition provisions may apply to the holders of interstate pest management licences who move to a residential address in South Australia. A Full Pest Management Technician's licence application may be submitted under Mutual Recognition and requires the submission of a copy of your interstate licence and proof of ID only.

Compliance and offences

Compliance

From time to time, SA Health Compliance Officers may conduct an inspection of your pest control business to monitor compliance with licence conditions and obligations for storage, transport and record keeping.

Routine inspections are generally conducted with the primary aim of assisting licence holders to meet their lawful obligations under the Regulations.

Offences

Penalties apply for non-compliance. Offences apply to licence holders and non-licence holders. Maximum penalties and expiation fees for offences of Controlled Substances (Pesticides) Regulations 2017 can be found on the South Australian Legislation website.

Additional resources:

- Controlled Substances Act 1984 (PDF 0.98MB).
- Controlled Substances (Pesticides) Regulations 2017 (PDF 269KB).

For more information

Health Protection and Regulation
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www.sahealth.sa.gov.au

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