

# Application to enter into a temporary transfer agreement

NORTHERN TERRITORY FISHERIES ACT Section 16A of the Fisheries Act

## Information Relating to the Application

This form is to be used by the holder of a licence (ie owner) to apply to the Director Fisheries for the Temporary transfer of a licence.

This is an application only – you are not permitted to carry out any activities in relation to this application until you have been advised of the decision.

**Transfer fee:** No transfer fee applies

### Legislation

#### Division 2 Licensing

#### 16A Transfer of licence

- (1) Subject to the Regulations, a relevant management plan or a condition of a licence, a licensee may, with the approval of the Director, transfer the licence to another person.
- (2) A licensee may apply to the Director for approval to transfer the licence.
- (3) The Director may approve the transfer of the licence if satisfied that:
  - (a) the sustainability of the fisheries would not be jeopardised by the transfer; and
  - (b) it is otherwise appropriate to do so, taking into consideration any Ministerial guidelines and any other matter the Director considers relevant.
- (4) If the Director is not satisfied as mentioned in subsection (3), the Director must refuse to approve the transfer.
- (5) A transfer under this section may be permanent or for a fixed period.
- (6) On the transfer of a licence, the person from whom it is transferred ceases to be the licensee and the person to whom it is transferred becomes the licensee for this Act.
- (7) If a transfer is for a fixed period, then at the expiry of that period the person to whom the licence was transferred ceases to be the licensee and the person from whom it was transferred becomes the licensee for this Act.

For any queries please contact the Fisheries Licensing Office. (08) 8999 2183

## Instructions for completing an application to enter into a temporary transfer agreement

1. Before completing the form **read** these instructions. **Please** use **BLOCK LETTERS** when completing the form.
2. **Licence Holder (Transferor)** - Specify the full name, date of birth, business address, postal address and email address (if applicable) of the licence holder(s) as recorded on the licence.
3. **Details of licence to be transferred:** Specify licence number and type of licence being transferred.
4. **Details of transferee:** Specify the full name, date of birth, business address, postal address and email address (if applicable) of the person the licence is being transferred to.
5. **Transfer dates:** Specify the dates for the Temporary Transfer agreement. Dates of agreement cannot exceed the date the licence expires.

### 6. Execution of Application

**Individuals** – All the persons recorded on the register as being holders of the licence must sign and date the application form.

An Executor may only apply if already recorded as Executor on the relevant licence. A copy of the Grant of Probate must be lodged with the application form (unless previously provided).

**Joint Holders** – If the licence is in more than one name (partnership or otherwise), all holders must sign and date this form.

**Corporations** – The Company must properly execute the form in accordance with section 129 of the Corporations Act. Where the form is executed by the sole director and sole company secretary the relevant declaration under section 129 of the Corporations Act must be made.

If an authorised representative is executing the form on behalf of the Company, a copy of the relevant authorisation is required.

**Power of Attorney** - If the licence holder has appointed an Attorney, the Attorney signing may be requested to produce the relevant original Power of Attorney document for viewing and a copy for recording.

### Declaration

Under Section 35 of the *Northern Territory Fisheries Act* making false or misleading statements in applications is an offence

### Changes to legislation

Please note that the *Fisheries Act*, regulations and management plans are amended from time to time. Current versions of these documents are available on the Internet and may be viewed at [nt.gov.au](http://nt.gov.au).

### Privacy Statement

Details in this application will be recorded in a Fisheries Register and certain personal details may be released, but will only be done so, in accordance with section 9 of the *Fisheries Act*.

#### Office Address:

Berrimah Business Park  
33 Vaughan Street  
BERRIMAH NT 0828

#### Contacts:

Tel: (08) 8999 2183  
Fax: (08) 8999 2057  
Email: [Fisherieslicensing@nt.gov.au](mailto:Fisherieslicensing@nt.gov.au)

#### Postal Address:

Fisheries Licensing  
Department of Industry, Tourism  
and Trade  
GPO Box 3000  
DARWIN NT 0801

## Application to enter into a temporary transfer agreement

### Section 16A of the Fisheries Act

1. I **declare** that I have read the 'Information Relating to Applications' and the 'Instructions for completing an application to transfer a licence'

#### 2. TRANSFEROR'S DETAILS – FROM

Full name of Individual, Corporation or Partnership: \_\_\_\_\_

If Corporation, name of Director/s

If Partnership, name of partners: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Gender: Male / Female ACN: \_\_\_\_\_  
(Corporation only)

Date of Birth: \_\_\_\_\_ Gender: Male / Female ACN: \_\_\_\_\_  
(Corporation only)

Residential / Business Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_

3. Hereby apply to enter into a temporary transfer agreement for the licence listed below in accordance with Section 16A of the Fisheries Act

Licence No:

Licence Type:

#### 4. TRANSFEREE'S DETAILS - TO

Full name of Individual, Corporation or Partnership: \_\_\_\_\_

If Corporation, name of Director/s

If Partnership, name of partners: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Gender: Male / Female ACN: \_\_\_\_\_  
(Corporation only)

Date of Birth: \_\_\_\_\_ Gender: Male / Female ACN: \_\_\_\_\_  
(Corporation only)

Residential / Business Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Postal Address: \_\_\_\_\_

Email: \_\_\_\_\_ Mobile: \_\_\_\_\_

**Application to enter into a temporary transfer agreement**

Trading Address: \_\_\_\_\_

\_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Nominated Vessel: \_\_\_\_\_

**5. TEMPORARY TRANSFER EFFECTIVE FROM:**

effective \_\_\_/\_\_\_/\_\_\_ TO \_\_\_/\_\_\_/\_\_\_

**DECLARATION AND CONSENT**

1. I declare that I have read the 'Information Relating to Applications' and the 'Instructions for completing an application for transfer of an NT Licence.
2. I declare that the information contained in this application is true and correct.

SIGNATURE OF TRANSFEROR(s) & DATE	SIGNATURE OF TRANSFEREE(s) & DATE
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OFFICE USE ONLY	
This application is: APPROVED/NOT APPROVED	
_____ Director of Fisheries or Delegate	_____ Date