

Application for the Grant of a Timor Reef Fishery Licence

Section 10 of the *Fisheries Act*

Regulation 141E of the Fisheries Regulations

Information Relating to the Applications

This form is to be used by a person who wishes to apply for a Timor Reef Fishery Licence

This is an Application only - once your application has been processed you will be advised of the decision. You are not permitted to carry out any activities in relation to this application until you have been advised of the decision.

Application Fee

\$1180.00

(Note: Under Regulation 206 the Minister may prescribe fees)

Applying for a Timor Reef Fishery Licence

Section 10 Requirement for licence

- (1) A licence may authorise a person to do one or more of the following things:
 - (a) take fish or aquatic life:
 - (i) for sale; or
 - (ii) for the purpose of aquaculture; or
 - (iii) for the purpose of exhibiting them for profit;
 - (b) undertake aquaculture;
 - (c) sell live fish or aquatic life;
 - (d) process for sale or sell dead fish or aquatic life;
 - (e) exhibit fish or aquatic life for profit;
 - (f) any other thing prescribed by regulation or a management plan as being able to be done only under a licence.
- (2) A person commits an offence if the person:
 - (a) takes fish or aquatic life with the intention of using it for a purpose mentioned in subsection (1)(a); and
 - (b) is not authorised by a licence to take the fish or aquatic life for that purpose.Maximum penalty: 200 penalty units or imprisonment for 2 years.
- (3) A person commits an offence if the person:
 - (a) intentionally undertakes aquaculture; and
 - (b) is not authorised by a licence to do so.Maximum penalty: 200 penalty units or imprisonment for 2 years.
- (4) A person commits an offence if:
 - (a) the person intentionally sells a thing; and
 - (b) the thing is live fish or aquatic life and the person is reckless in relation to that circumstance; and
 - (c) the person is not authorised by a licence to sell the thing.Maximum penalty: 200 penalty units or imprisonment for 2 years.

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- (5) A person commits an offence if:
- (a) the person intentionally processes for sale or sells a thing; and
 - (b) the thing is dead fish or aquatic life and the person is reckless in relation to that circumstance; and
 - (c) the person is not authorised by a licence to process for sale or sell the thing.
- Maximum penalty: 200 penalty units or imprisonment for 2 years.
- (6) A person commits an offence if:
- (a) the person intentionally exhibits a thing for profit; and
 - (b) the thing is fish or aquatic life and the person is reckless in relation to that circumstance; and
 - (c) the person is not authorised by a licence to exhibit the fish or aquatic life for profit.
- Maximum penalty: 200 penalty units or imprisonment for 2 years.
- (7) A person commits an offence if:
- (a) the person intentionally engages in conduct; and
 - (b) the conduct is prescribed by regulation or a management plan as being able to be done only under a licence and the person is reckless in relation to that circumstance; and
 - (c) the person is not authorised by a licence to engage in the conduct.
- Maximum penalty: 100 penalty units or imprisonment for 12 months.
- (8) Strict liability applies to subsections (2)(b), (3)(b), (4)(c), (5)(c), (6)(c) and (7)(c).
- (9) This section does not apply to a person who does a thing of a kind prescribed by a regulation or management plan for this subsection.

Regulation 141E

The Joint Authority may grant a TRF licence to a person if:

- a. The Joint Authority has approved the transfer of fishery units or quota units to the person, or the Territory proposes to transfer fishery units to the person; and
- b. The person does not hold a TRF Licence

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

Instructions for Completing an Application for the Grant of a Timor Reef Fishery Licence

1. Before completing the form **read** these instructions. Please use **BLOCK LETTERS** when completing the form.
2. **Applicant** - Specify the full name, business address, postal address and email address (if applicable) of the licence holder(s) as recorded on the Restricted or Unrestricted Timor Reef Licence held prior to the 1 February 2011. Specify the business hours telephone and facsimile numbers.
3. **Details of Licence Holder where proposed units will be transferred from:-** Specify the Licence Holder name and Licence Number of the Timor Reef Licence Number from where you will be receiving units.
4. Specify the details of the units you will be receiving.
5. **Has an application for the Transfer of Quota Units or Fishery Units been lodged with the Department** - Tick the relevant box.
6. **Declaration** - Under Section 35 of the Northern Territory Fisheries Act making false or misleading statements in applications is an offence.

7. 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.

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BERRIMAH

Tel: 08 89992183
Fax: 08 89992057
Email:
Fisherieslicensing@nt.gov.au

Postal Address-Fisheries Licensing
Department of Primary Industry
and Resources
GPO Box 3000
DARWIN NT 0801

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 S9 of the *Fisheries Act*.

Section 11 of the Fisheries Act

Regulation 141E of the Fisheries Regulations

To the Joint Authority: The licence holder specified below hereby applies to the Joint Authority to grant a licence in accordance with Section 11 of the Act and Regulation 141E of the Fisheries Regulations.

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

2. **2. Applicant:** 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. **Details of Licence Holder where proposed units will be transferred from:**

Timor Reef Licence Number: A18/ _____

Licence Holder: _____

Fishery Units Quota Units

Number of units to be transferred:

Goldband Snapper Units: _____

Red Snapper Units: _____

Grouped fish: _____

4. **Has an application for the Transfer of Quota Units or Fishery Units been lodged with the Department?**

Yes No

5. Declaration

I declare that the statements made in this Application Form are true and correct.

6. Execution of Application Form

Individuals/Joint Holders

..... (signature) (print name) (date)

..... (signature) (print name) (date)

..... (signature) (print name) (date)

Corporation

..... (Director - signature) (print name) (date)

..... (Director - signature) (print name) (date)

..... (Director/Secretary - signature) (print name) (date)

Declaration where sole director/secretary (if applicable):

I declare that I am the sole director and sole company secretary of
 (print name)

..... (print company name) (signature) (date)

Power of Attorney

Attorney under Power (signature) (print name) (date)

OFFICE USE ONLY

This application is: APPROVED/NOT APPROVED

POLICE CHECK: _____

PROOF OF ID: _____

INTERVIEWED BY
 MANAGEMENT OFFICER: _____

LICENCE NUMBER: A18/ _____

 Senior Licensing Officer
 As delegate for the
 JOINT AUTHORITY

Date