

Application to be an Approved Operator (Fishing Guide)

Information Relating to Applications

This form is to be used by an individual to apply to the Director of Fisheries to be an Approved Operator in charge of fishing operations under a Fishing Tour Operator licence. On approval, an identity card will be issued to the Approved Operator (Fishing Guide).

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. Application forms that are incomplete will be returned to the applicant and cannot be processed until completed.

Application Fee

\$110

Under Regulation 206 the Minister may prescribe fees

Applying to be an Approved Operator

Section 17A of the Act provides for the making of an application to apply to be an Approved Operator. Section 17B sets out the criteria against which an applicant will be assessed to determine if they are a 'fit and proper person' as part of the approval process for an Approved Operator. Once approved, under section 17C the Director must give an Approved Operator an identity card. These provisions of the *Fisheries Act* are set out below.

Fisheries Act

Section 17A - Approved Operators

- (1) An individual may apply to the Director to be an approved operator.
- (2) After considering the application, the Director, if satisfied the applicant is a fit and proper person, may approve the applicant to be an approved operator for a period of not more than 5 years.
- (3) If the Director is not satisfied as mentioned in subsection (2), the Director must refuse to approve the applicant.
- (4) To avoid doubt, a licensee who is an individual may:
 - (a) apply to be an approved operator; and
 - (b) if approved, may be appointed under section 17E to be the person in charge of fishing operations under the licence or permit.

Section 17B – Fit and proper person test

An individual is a ***fit and proper person*** if the individual:

- (a) is an adult; and
- (b) does not hold a licence or permit, or a licence or other authority relating to fishing under an Act of the Commonwealth, a State or another Territory, that is currently suspended; and
- (c) has not been found guilty of an offence against this Act, or any other Act that the Director considers relevant, in the previous 5 years; and
- (d) has otherwise complied with this Act; and

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- (e) is otherwise a fit and proper person to be an approved operator taking into account any matters specified in the Ministerial guidelines*.

* Copies of the Ministerial guidelines may be available upon request from the Fisheries Licensing Office.

Section 17C – Identity card

- (1) The Director must give an approved operator an identity card stating the person's name and that the person is an approved operator.
- (2) The identity card must:
 - (a) show a recent photograph of the approved operator; and
 - (b) show the card's date of issue and expiry; and
 - (c) be signed by the operator.
- (3) A person who ceases to be an approved operator must return their identity card to the Director within 21 days after the cessation.

Maximum penalty: 20 penalty units.
- (4) An offence against subsection (3) is an offence of strict liability.

Licence Conditions

- (1) An Approved Operator (Fishing Guide) authorisation enables its holder to be in charge of fishing operations under a Northern Territory Fishing Tour Operator licence.
- (2) An Approved Operator (Fishing Guide) identity card must be displayed prominently on the fishing platform at all times while on a commercial tour.
- (3) An Approved Operator (Fishing Guide) must complete a legible record of fishing activities at the end of each fishing day before clients disembark the vessel or fishing platform.
- (4) People conducting or assisting the conduct of a fishing tour under this licence may catch fish but they may not take possession of the fish.

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

Instructions for completing an application to be an Approved Operator (Fishing Guide)

1. Before completing the form please read these instructions. **Please use BLOCK LETTERS** when completing the form.
2. **Applicant:** Specify your full name. If you have a trading or business name, please provide these details. Specify your date of birth, residential/business address, postal address, phone contact details and Email address (if applicable).
3. **Qualifications:** Specify what type of qualifications you have (all Approved Operators must have a coxswain certificate as a minimum). A copy of these qualifications must be attached to your application. Please also attach a copy of a current Senior First Aid certificate.
4. **Vessel:** If you are using your own vessel, it must be in survey, provide all details and a copy of your current survey with your application.
5. **Complete the Fit and Proper Information Form:** All applicants are required to complete the Fit and Proper Information Form or tick the box if previously completed.
6. **National Police Certificate:** All applicants are required to supply a copy of a National Police Certificate, which needs to be current (issued within the last 6 months) to be accepted.
7. **Complete a 'Fishing Rules' Interview:** An interview relevant to the fishery for which you are seeking approval for must be completed with an Aquatic Resource Manager.
8. **Execution of Application Form:** Applicant must sign and date the application form.
9. **Contact Details:** If your contact details have changed you must update your details within 28 days. It is an offence under section 40A of the *Fisheries Act* not give the Director written of any changes to your details.

Declaration

Under section 35A of the *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.

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*.

If you wish for your details to be published on the publicly available "Approved Operators" website please ensure you have given your approval at item 3 under the Declaration and Consent section of the application form.

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

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

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APPLICANT'S DETAILS:

Full name of Individual: _____

Trading Name (if applicable) _____

Date of Birth: _____ Gender: Male / Female

Residential / Business Address: _____
_____ Phone: _____

Postal Address: _____
_____ Mobile: _____

Email: _____

Qualifications/ID: _____ Copies provided (if you are a new applicant)

CHECKLIST - Have you:

- Read the attached information sheets.
- Completed the Fit & Proper Person Information Form / or previously been approved as Fit & Proper*.
- National Police Certificate – issued within the last 6 months (if you are a new applicant or re-applying).
- Attached copies of current Senior First Aid certificate and Coxswains (or other) qualification.
- Paid \$110 application fee
- Completed a Fishing Rules interview relevant to the fishery of this application. YES/NO*

* Please delete as appropriate. . If you are re-applying, you will be advised if an interview is required.

DECLARATION AND CONSENT

1. I declare that I have read the 'Information Relating to Applications' and the 'Instructions for completing an application to be an Approved Operator (Fishing Guide)'.
2. I declare that the information contained in this application is true and correct.
3. **I approve / do not approve*** for my personal details (name, business name, email and phone numbers) to be included on the "Approved Operators" website.
*** Please delete as appropriate.**
4. I agree to notify the Director of Fisheries in writing as soon as I become aware of a change in my circumstances regarding my National Police check. .

Signature of Applicant

Date

OFFICE USE ONLY		Fit and Proper Person	<input type="checkbox"/>
This Application has been: APPROVED/ NOT APPROVED		National Police Certificate	<input type="checkbox"/>
		Senior First Aid certificate	<input type="checkbox"/>
		Marine certificate	<input type="checkbox"/>
		\$105 application fee	<input type="checkbox"/>
		Interview	<input type="checkbox"/>
_____ Director of Fisheries or Delegate	_____ Date		