**NORTHERN TERRITORY FISHERIES ACT**Regulation 108 of the Fisheries Regulations

# Information Relating to the Applications

This form is to be used by the holder of a Demersal licence to permanently transfer fishery units to another Demersal 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.

**Transfer Fee**

No transfer fee applies
(Note: Under Regulation 206 the Minister may prescribe fees)

The permanent transfer of units is subject to stamp duty.

Contact Revenue Office, Level 14 Charles Darwin Centre, 19 The mall, Darwin.

Phone: 1300 305 353

**Legislation**

**Division 6 Demersal Fishery**

**Subdivision 5 Transfer of fishery units and quota units**

**108 Application for transfer and approval by Joint Authority**

1. The holder of a Demersal Fishery licence may apply to the Joint Authority for approval to transfer one or more fishery units or quota units attached to the licence to:
	1. the holder of a Demersal Fishery licence; or
	2. an applicant for, or person who intends to apply for, a Demersal Fishery licence.
2. The application must be made on the approved form.
3. The Joint Authority must approve or refuse to approve the application and give the applicant written notice of the decision.
4. To avoid doubt, an application under subregulation (1) cannot be made in relation to fishery units or quota units attached to a suspended Demersal Fishery licence.

**108A Effective date of transfer**

1. If the Joint Authority approves an application for the transfer of fishery units or quota units to the holder of a Demersal Fishery licence, the transfer takes effect on the later of:
	1. the day after the date approval is given; or
	2. the date of transfer specified in the application.
2. If the Joint Authority approves an application for the transfer of fishery units or quota units to an applicant for, or person who intends to apply for, a Demersal Fishery licence:
	1. the approval is condition on the applicant or person being granted a Demersal Fishery licence within 14 days after the approval is given; and
	2. the transfer takes effect on the later of;

(i) the date the licence is granted to the person; or

(ii) the date of transfer specified in the application.

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

# Instructions for completing an application to transfer demersal fishery units

1. Beforecompleting 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 units to be transferred:** Specify licence number and select type of units being transferred. Specify the number of units to be transferred.
4. **Details of licensee and Licence receiving units:** 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.Specify the type of units being transferred and Licence Number
5. **Stamp Duty:** Please provide evidence to show that the transaction (agreement) has been lodged with the Commissioner of State Revenue for assessment of duty.

**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.

**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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| Office Address: |  | Postal Address-Fisheries Licensing |
| Goff Letts Building | Tel: 08 89992183 | Department of Primary Industry |
| Berrimah Farm | Fax: 08 89992057 | and Resources |
| Makagon Road | Email: | GPO Box 3000 |
| BERRIMAH | Fisherieslicensing@nt.gov.au  | DARWIN NT 0801 |

**Privacy Statement:** Details in this application will be recorded in a Fisheries Register and certain personal details may be released but, only be done so in accordance with S9 of the *Fisheries Act*.

# Application for transfer of fishery units

Regulation 78E, R & S/ 96CB/ 108/ 122G/ 122J/ 141JS & 141JW of the Fisheries Regulations

Mud Crab Fishery Management Plan Clause 14A, 14B & 14C

Pearl Oyster Culture Industry Management Plan 15(1)a &17(3)

**To the Director:** The licence holder specified below hereby applies to the Director to temporarily transfer fishery units in accordance with Fisheries Regulations or Fishery Management Plans that apply to this licence.

**To the Joint Authority:** The licence holder specified below hereby applies to the Joint Authority to transfer quota units in accordance with Fisheries Regulations that apply to this licence.

**Note:** Applications for permanent transfer of Fishery Units must be stamped by the Commissioner of Territory Revenue before the Director of Fisheries will approve the transfer.

1. I **declare** that I have read the ‘Information Relating to Applications’ and the ‘Instructions for completing an application to transfer Fishery or Quota units.
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

Residential / Business Address:

 Phone: Fax:

Postal Address:

Email: Mobile:

1. **Select fishery:**

 Coastal Line Quota Unit [ ]  Off-Shore Net and Line Fishery Unit [ ]

 Demersal Quota Unit [ ]  Pearl Oyster Fishery unit [ ]

 Timor Reef Quota Unit [ ]  Pearl Oyster Culture Hatchery unit [ ]

**I hereby apply to transfer the following units from licence A6/\_\_\_\_\_\_\_\_**

 Goldband Snapper Net

 Red Snapper Line

 Group Fish: Pearl Fishery

 Black Jew Fish Pearl Hatchery

 Golden Snapper

1. **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

Residential / Business Address:

 Phone: Fax:

Postal Address:

Email: Mobile:

to received unit(s) to be attached to licence number A6/\_\_\_

 Type of Units

|  |  |
| --- | --- |
| SIGNATURE OF TRANSFEROR(s) & DATE | SIGNATURE OF TRANSFEREE(s) & DATE |

|  |
| --- |
| **OFFICE USE ONLY**This application is: APPROVED/NOT APPROVED OR  Director of Fisheries or Delegate Date Senior Licensing Officer Date  |

**DELARATION:** By signing this application you are, under Section 35 of the Northern Territory Fisheries Act, stating there are no false or misleading statements in the application

**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*.