**NORTHERN TERRITORY FISHERIES ACT**

Division 2, Section 10 of the Fisheries Act

Part 10, Division 2A of the Fisheries Regulations

# Information Relating to the Application

**This form is to be used by a person who wishes to apply for an Ornamental Aquaculture Licence.**

**This is an Application only. Following assessment of your application, you will be informed of the outcome. You are not permitted to carry out any activities subject of this application until you have been granted a licence.**

**Licence Fee**

 $100

**Legislation**

**Fisheries Act**

**Division 2 Licensing**

**10 Taking, &c., fish, &c., without licence**

(1) Subject to this Act or to an instrument of a legislative or administrative character made under it, a person shall not:

(a) take any fish or aquatic life;

(b) farm, breed, culture, or keep live fish or aquatic life for sale or the purposes of aquaculture (whether they are sold or used live or dead) or for the purpose of exhibiting any of them for profit;

(c) take live aquatic life, live fish, or any live eggs, fry, spat, or larva of fish, for the purpose of aquaculture or another purpose referred to in paragraph (b);

(d) sell live aquatic life, live fish, or any live eggs, fry, spat, or larva of fish;

(da) process for sale or sell aquatic life or fish, or eggs, fry, spat or larva of aquatic life or fish; or

(e) take any other action where the action is prescribed as being able to be taken only by the holder of a licence,

unless the person does so under and in accordance with a licence.

Maximum penalty: In relation to paragraph (a), (b), or (c) – 170 penalty units or imprisonment for 2 years.

 In relation to paragraph (d) or (e) – 85 penalty units or imprisonment for 1 year.

(2) Nothing in this section shall apply to the taking of fish or aquatic life by a person for subsistence or personal use only (and not for the purposes of sale), within such limits (if any) relating to numbers, quantity, size, weight, methods, types and amounts of fishing gear, and periods of time (including closed and open seasons), as may be prescribed for any such fish or aquatic life.

**Fisheries Regulations**

**Part 10 Aquaculture**

**Division 2A Ornamental Aquaculture licence**

**175A Activities authorised by Ornamental Aquaculture licence**

(1) A person may take fish as broodstock, purchase fish, breed fish or aquatic life, rear or hold such fish or aquatic life and sell such fish or aquatic life, under and in accordance with an Ornamental Aquaculture licence.

(2) For subregulation (1), ***fish*** does not include a member of the genus *Pinctada* (pearl oysters).

**175B Limit on size of aquaculture facility**

The Director must not grant an Ornamental Aquaculture licence if the aquaculture facility to which the licence relates has a capacity that is greater than 10,000 litres of water.

**175C Conditions of licence**

The conditions to which an Ornamental Aquaculture licence may be subject include:

(a) limitation of the species of fish which may be kept and the stages of the life cycle of a fish at which the fish may be kept; and

(b) limitation of the number of fish which may be kept or sold; and

(c) limitation of the use of chemicals or drugs, including the regulation or prohibition, for such period as the Director thinks fit, of the transport or release from the aquaculture facility of fish exposed to chemicals or drugs; and

(d) a condition that the licensee shall operate the aquaculture facility in accordance with the plan of operation submitted in accordance with regulation 161(d) and approved by the Director; and

(e) the method of water discharge or other waste disposal.

**175D Possession of broodstock**

An Ornamental Aquaculture licensee must not possess fish or aquatic life for breeding except those fish or aquatic life:

(a) taken under and in accordance with the Act; or

(b) obtained from a person who holds a commercial fishing licence; or

(c) imported in accordance with a permit; or

(d) obtained from an Aquaculture licensee; or

(e) obtained from another Ornamental Aquaculture licensee; or

(f) obtained from an aquaculture facility operated by a statutory corporation; or

(g) obtained from an Aboriginal Coastal licensee.

**175E Sale of fish**

An Ornamental Aquaculture licensee may sell fish or aquatic life to the following:

(a) an Aquarium Fishing/Display Fishery licensee;

(b) an Aquaculture licensee;

(c) an Ornamental Aquaculture licensee;

(d) an Aquarium Trader licensee;

(e) a Public Aquarium licensee;

(f) a member of the public not purchasing fish or aquatic life for resale.

**175F Disposal of broodstock**

An Ornamental Aquaculture licensee shall not sell or otherwise dispose of fish or aquatic life taken as broodstock under this Part to another person except:

(a) after 12 months after the date the fish or aquatic life was taken; or

(b) with the prior approval of the Director.

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

# Instructions for completing an application for the grant of a ornamental aquaculture licence

Before completing the form **read** these instructions. **Please** use **BLOCK LETTERS** when completing the form.

1. The application can be in the name of a company, partnership or an individual.
2. If the licence is in an individual or a partnership complete the application on the top left hand side. Proof of identity is required for an individual (drivers licence, passport etc). For a partnership, documentation to prove that the partnership exists along with the individual proof of identity for each partner will be required.
3. If the application is in a company name then complete the top right hand side of the application and proof that the company exists is required. This is the extract from ASIC.
4. Aquaculture location is the location of the operation.
5. Species to be farmed must be specified.
6. Make sure that the document is signed by the applicant(s).
7. Ornamental Aquaculture licence proposal to be submitted with this application.

**Attention**

**Fisheries legislation changes from time to time. Up-to-date fisheries legislation is available on the Internet. Fisheries legislation may be viewed at the Department of Primary Industry and Fisheries website (**[**http://www.nt.gov.au/d/Fisheries/**](http://www.nt.gov.au/d/Fisheries/)**) and by clicking on the ‘Legislation’ link on the home page.**

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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 Fisheries |
| Makagon Street | 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, will only be done so in accordance with S9 of the *Fisheries Act*.

**NORTHERN TERRITORY FISHERIES ACT**

# Application for an ornamental aquaculture licence

Division 2, Section 10 of the Fisheries Act
(Part 10 Division 2A – Fisheries Regulations)

Incomplete applications cannot be processed. If you have any queries please contact Licensing Section on 08 89992183.

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| **APPLICATION BY AN INDIVIDUAL/PARTNERSHIP**Business Trading Name: Surname: Given name: Date of birth: Male/FemaleResidential address:  Postal address:  Phone No: Fax No: Email Address:  Signature of applicant Date | **APPLICATION BY A COMPANY**Company name: A.C.N. No: Trading name: Postal address:  Public Officer’s surname: Given name: Date of birth: Male/FemaleResidential address:  Postal address:  Phone No: Fax No: Email Address:  Signature of applicant Date |
| **AQUACULTURE LOCATION**   Postal Address:  Phone No: Fax No: **SPECIES TO BE FARMED**   If more than one Aquaculture Location and/or insufficient space to list species farmed an extra page may be submitted with this form. | **OFFICE USE ONLY**Recommended by Aquaculture Manager [ ] Check list completed [ ] Proof of ID [ ] Police check [ ] Receipt No: Date: This application is: APPROVED/NOT APPROVED Director of Fisheries or Delegate DateLicence No.  |