NORTHERN TERRITORY FISHERIES ACT
Part 8, Subdivision 3, 78 B/C/D & Subdivision 5 78 R/S/T of the Fisheries Regulations

# Information Relating to the Applications

**This form is to be used by the holder of a Coastal Line Fishery licence to permanently transfer fishery units to another Coastal Line 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.**

**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**

**Part 8 Commercial fisheries**

**Division 1 Coastal line fishery**

 **Subdivision 3 Fishery units, total allowable catch and quota units in CLF Western Zone**

**78B Fishery units generally**

1. A ***fishery unit*** is a unit that entitles the holder of the CLF licence to which the unit is attached to be allocated a share of the total allowable catch for the CLF species to which the unit relates.

*Note for subregulation (1)*

*The share is calculated under regulation 78F.*

1. A fishery unit does not expire.
2. A fishery unit may be transferred under Subdivision 5.
3. A fishery unit attached to a CLF licence that is cancelled is taken to be transferred to the Territory on the day of the cancellation.
4. A fishery unit attached to a CLF licence that expires and is not renewed within the period permitted under section 12(2) of the Act is taken to be transferred to the Territory on the day after the period ends.

**78C Total number of fishery units**

In the CLF Western Zone there are a total of:

1. 145 000 fishery units for black jewfish; and
2. 4 500 fishery units for golden snapper.

**78D Total allowable catch of black jewfish and golden snapper in CLF Western Zone**

The total amount of each CLF species that may be taken in a licence year in the CLF Western Zone under all CLF licences (the ***total allowable catch***) is:

(a) 145 000 kg of black jewfish; and

(b) 4 500 kg of golden snapper.

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

**78R Application for transfer and approval by Director**

1. The holder of a CLF licence may apply to the Director for approval to transfer one or more fishery units or quota units attached to the licence to another holder of a CLF licence.
2. The application must be made in the approved form.
3. The Director 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 CLF licence.

**78S Effective date of transfer**

If the Director approves an application for the transfer of fishery units or quota units, the transfer takes effect on the later of:

(a) the day after the date the approval is given; or

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

**78T Sale or transfer of fishery units by Territory**

The Territory may sell or transfer to the holder of a CLF licence fishery units transferred to the Territory.

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

# Instructions for completing an application to transfer Coastal line 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, will only be done so in accordance with S9 of the *Fisheries Act*.

**NORTHERN TERRITORY FISHERIES ACT**

# Application for transfer of fishery units

Regulation 78 B,C,D,R,S,T/ 96CC/ 108/ 122G /141JS &141JW of the Fisheries Regulations
Pearl Oyster Culture Industry Management Plan Clause 15

**To the Director:** The licence holder specified below hereby applies to the Director to permanently 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 permanently transfer fishery 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 [ ]

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**I hereby apply to transfer the following units from licence A1/\_\_\_\_\_\_\_\_**

 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 A1/\_\_\_

 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*.