

APPLICATION FOR THE TEMPORARY TRANSFER OF ENTITLEMENT

Information Relating to Applications

This Form is to be used by the holder of an authorisation to apply to the Chief Executive Officer for the temporary transfer of entitlement under an authorisation to another authorisation.

Application Fee

The prescribed application fee must accompany this application form. See Part 2 of Schedule 1 to the regulations. (Note: Fees may be subject to change.)

Applying for the temporary transfer of entitlement

Section 141(1) of the Act provides for the making of an application for the temporary transfer of entitlement from under one authorisation (licence or permit) to another authorisation, but only where the management plan or the regulations authorises the transfer. Refer also to regulation 138 and the provisions of any relevant management plan.

SECTION 141(1)

If -

- (a) the holder of an authorisation applies to the CEO for the transfer of the whole or part of an entitlement under the authorisation for a limited period; and
- (b) the relevant management plan or the regulations authorise the transfer,

the CEO may transfer the whole or part of the entitlement to another authorisation for a specified period.

REGULATION 138

Part of an entitlement under an authorisation may not be transferred under section 141 of the Act for a period ending on a day after the authorisation would expire, if it were not renewed.

Attention

Fisheries legislation changes from time to time. To assist fishers, aquaculturists and members of the public to access fisheries legislation, the Chief Executive Officer has arranged for up-to-date fisheries legislation to be made available on the internet. Fisheries legislation may be viewed by logging on to the Department of Fisheries website (www.fish.wa.gov.au) and clicking on the Legislation link on the top of the home page. The Chief Executive Officer recommends the licence holders and persons acting for or on their behalf (eg. employees or contractors), regularly access this legislation service and make themselves aware of the fisheries legislation that relates to their activities.

Note: Applicants should be aware that the details disclosed in this application form will be recorded on the register maintained under the Act and be available for public search.

Department of Fisheries
Locked Bag 39
Cloisters Square Post Office
PERTH WA 6850
In person by prior appointment only
Gordon Stephenson House
Level 2/140 William Street
PERTH WA 6000
Phone: (08) 6551 4444

Office Use Only	
Date Received	
Fee Paid	
Receipt No.	

Fish Resources Management Act 1994
 Section 135 and 141

Application for the Temporary Transfer of Entitlement (Form T-3)

To the Chief Executive Officer: The authorisation holder specified in Part A **hereby applies** for the **temporary** transfer of the entitlement specified in Part A to the authorisation(s) specified in Part B.

PART A

1. I **declare** that I have read the ‘Information Relating to Applications’, ‘Instructions for Completing a Form T-3’, the Office of State Revenue (“OSR”) ‘Duties Fact Sheet – Business Licences’ and ‘Commissioner’s Practice DA 11’, in respect of transactions under the *Fish Resources Management Act 1994*.

2. Authorisation Holder:

Name(s):

Business Address:

Postal Address:

ACN: ☎: Fax:

ABN: Email:

3. Authorisation from which entitlement is to be transferred:

Authorisation Nature and No:

Details of part of entitlement to be transferred:

Last Catch Disposal Record (CDR) No:.....Date:.....

Has fishing already been carried out in respect of the units of the entitlement that is being transferred?

[yes / no]

PART B

4. Authorisation(s) to which entitlement is to be transferred

Authorisation Nature and No:

Holder of Authorisation:

Details of entitlement to be transferred to this authorisation:

Amount paid per unit:..... Total amount paid :

Authorisation Nature and No:

Holder of Authorisation:

Details of entitlement to be transferred to this authorisation:

Amount paid per unit:..... Total amount paid :

PART C

5. Duty

Will the temporary transfer of entitlement pursuant to this application give rise to the transfer of a beneficial interest in the authorisation?

[yes / no]

If “Yes”, provide evidence to show that the transaction (agreement) has been lodged with the Commissioner of State Revenue for assessment of duty. Refer to the Office of State Revenue Commissioner’s Practice DA 11.

6. Consent under section 140(5)

Is an ‘Application for the Removal of a Notation of a Security Interest on the Register’ included with this application form?

[yes / no]

Does the authorisation holder specified in Part A above consent to this application for transfer proceeding within the 21 day period of notice specified in subsection 140(4) of the Act?

[yes / no / NA]

7. Date temporary transfer is intended to occur

8. Declarations

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

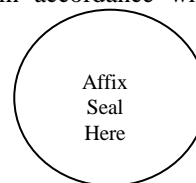
9. Execution of Application

Individuals

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

Corporation

The Common Seal of the authorisation holder is hereunto affixed in accordance with the corporation’s Constitution:



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)

Attorney

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

PART D

10. Consent of security interest holder(s)

A holder of a security interest noted on the register may consent to the temporary transfer of entitlement in accordance with this application form.

I/We the registered holder(s) of a security interest over the authorisation specified in Item 2 above hereby consent to the grant of this application by the Chief Executive Officer **within the 21 day period** of notice specified in subsection 140(4) of the Act.

Name:.....

Name:

Signature..... Date:

Signature: Date:

Name:.....

Name:

Signature..... Date:

Signature: Date:

Name:.....

Name:

Signature..... Date:

Signature: Date:

Name:.....

Name:

Signature..... Date:

Signature: Date: