

# Application for the grant of an Aboriginal coastal licence

Northern Territory Fisheries Act (Part 11 Division 2- Fisheries Regulations)

## Information relating to applications

This form is to be used by a person who wishes to apply to the Director of Fisheries for an Aboriginal Coastal licence.

**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:** \$50

## Applying for an Aboriginal Coastal licence

Clause 183 (Part 11 Division 2) of the Fisheries Regulations provides the ability for a person to apply for an Aboriginal Coastal licence. These provisions are set out below.

### Division 2 Aboriginal Coastal licence

#### 183 Application for licence

An Aboriginal person who:

- (a) is a member of a community or group in respect of which land has been granted to a trust for the benefit of Aboriginals entitled by Aboriginal tradition to the use or occupation of that land under the *Aboriginal Land Rights (Northern Territory) Act 1976* of the Commonwealth;
- (b) is permanently resident on the land; and
- (c) has:
  - (i) where there is a council within the meaning of the *Local Government Act*, the approval of that council; or
  - (ii) where there is no such council, the approval of persons accepted by the majority of the community or group to be its leaders, may apply to the Director for an Aboriginal Coastal licence.

#### 184 Director may grant licence

- (1) The Director may, subject to this Division, grant an Aboriginal Coastal licence to an applicant.
- (2) An Aboriginal Coastal licence shall not be granted to a person other than a natural person.

#### 185 No transfer of licence

An Aboriginal Coastal licensee shall not transfer his or her licence.

## 186 Lapse of licence

It shall be a condition of each Aboriginal Coastal licence that it lapses where the licensee ceases to be a permanent resident on the land granted for the benefit of the members of the community or group of which he or she is a member as referred to in regulation 183(a).

## 187 Certain people not to hold licence

An Aboriginal Coastal licensee shall not:

- (a) hold a commercial fishing licence; or
- (b) operate an Aboriginal Coastal licence while being an assistant of the holder of a commercial fishing licence.

## 188 Area of licence

An Aboriginal Coastal licensee shall not take fish or aquatic life for sale under the licence except from within the area specified on the licence as the area in which fish may be taken under the licence.

## 189 Fishing gear

An Aboriginal Coastal licensee must not use, under the licence, fishing gear other than the following:

- (a) a vertical line;
- (b) a net not exceeding 100m in length and with a mesh size not exceeding 65mm;
- (c) a scoop net;
- (d) a hand spear;
- (e) if authorised by the licence, a traditional fish trap.

## 191 To whom fish may be sold

An Aboriginal Coastal licensee must not sell fish or aquatic life except to:

- (a) an Aquarium Fishing/Display Fishery licensee; or
- (b) a Fish Trader/Processor licensee; or
- (c) a Fish Retailer licensee; or
- (d) a Fish Broker licensee; or
- (e) an Aquaculture licensee; or
- (f) an Aquarium Trader licensee; or
- (g) a Public Aquarium licensee; or
- (h) an Ornamental Aquaculture licensee; or
- (i) a person not purchasing the fish or aquatic life for resale.

## 191A Sale of fish

An Aboriginal Coastal licensee must not, under the licence:

- (a) intentionally take, or attempt to take, barramundi, king threadfin, Spanish mackerel, trepang or mud crab; or
- (b) sell more than the number or quantity (which may be zero) of fish or aquatic life specified in the licence.

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

## Instructions for completing an application for the grant of an Aboriginal Coastal Licence

As the submitted form is a legal document all details on the form must be completed. Incomplete forms will not be approved.

1. Applicant is required to complete the **Applicant details** section of the application form.
2. A representative of a Land Council or Community organisation is to complete the **Council / community organisation** section in the application form.
3. Proof of identity of the applicant, photograph or driver's licence must accompany the application.
4. Evidence of support is required from persons accepted by the majority of the community or group to be its leaders. This can be supplied in the relevant section of the application form.
5. A map depicting the proposed area in which fishing will occur must be submitted with the application.
6. A simple business plan detailing the objectives and operations for how the licence will be used.
7. The application fee may be paid by the following methods:
  - Direct Credit Transfer
  - Cash Cheque
  - EFTPOS
  - Credit Card

## Declaration

Under Section 35 of the *Northern Territory Fisheries Act* making false or misleading statements in applications is an offence

**Attention:** Fisheries legislation changes from time to time. Up-to-date fisheries legislation is available on the Internet. Fisheries legislation may be viewed on the Northern Territory Government website [www.legislation.nt.gov.au](http://www.legislation.nt.gov.au) and searching for the *Fisheries Act 1988*.

Office address: 33 Vaughan Street, Berrimah

Phone: 08 8999 2183

Email: [fisherieslicensing@nt.gov.au](mailto:fisherieslicensing@nt.gov.au)

Postal address: Fisheries Licensing, Department of Industry, Tourism and Trade, GPO Box 3000, Darwin NT

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*.

Application for the grant of an Aboriginal coastal licence

Fields marked with an asterisk (\*) are required.  
Fields marked with a caret (^) are for office use only.

**Applicant details**

<b>Surname</b>		<b>Other names</b>	
<b>Date of birth</b>		<b>Gender</b>	Male / Female
<b>Residential address</b>			
<b>Postal address</b>			
<b>Phone number</b>		<b>Fax number</b>	
<b>Email</b>			
<b>Signature*</b>		<b>Date</b>	

**Council / community organisation**

<b>Name of council/ community organisation</b>			
<b>Name of community</b>			
<b>Is the applicant a permanent resident of the above community</b>			Yes / No
<b>Business address</b>			
<b>Postal address</b>			
<b>Phone number</b>		<b>Fax number</b>	
<b>Email</b>			
<b>Signature of council / community organisation*</b>		<b>Date</b>	

Declaration			
<p>I declare that I have read and understand the 'Information Relating to Applications' and the 'Instructions for completing an application for the grant of an Aboriginal Coastal Licence.'</p> <p>Applicants for Aboriginal Coastal licences are required to supply evidence of support from persons accepted by the majority of the community or group to be the leader/s of the area where fishing will occur. The following person/s supports this application for an Aboriginal Coastal licence:</p>			
<b>Name*</b>	<b>Community / region*</b>	<b>Signature*</b>	
Applicant checklist			
<b>Applicant details completed</b>			Yes / No
<b>Council or community organisation section completed</b>			Yes / No
<b>Support for the licence applicant to be the holder of an Aboriginal Coastal license for a particular area</b>			Yes / No
<b>Map showing intended fishing area</b>			Yes / No
<b>Proof of ID ie, photograph of applicant</b>			Yes / No
<b>Payment made</b>			Yes / No
Office use only^			
<b>Proof of ID</b>			Yes / No
<b>Council/Community organisation</b>			Yes / No
<b>Support for application</b>			Yes / No
<b>Receipt</b>			Yes / No
<b>Licence No.</b>			Yes / No
<b>This application is</b>	APPROVED / NOT APPROVED		
<b>Director of Fisheries or delegate signature</b>		<b>Date</b>	

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