

Application to Transfer an Environmental Licence

Application under **Section 42W** of the **Environmental Management and Pollution Control Act 1994** to transfer an Environmental Licence (EL) to the person/company nominated below.

Note: An Environmental Licence cannot be transferred to more than one person unless those persons comprise a trust.

The completed form should be submitted to the Director, Environment Protection Authority.

The form can be submitted to the Director by emailing to Enquiries@epa.tas.gov.au or posting to GPO BOX 1550 Hobart TAS 7001

Section A: Environmental Licence Details (current version)

Environmental Licence No.	
Activity	
Location (Lease or address)	
Expiry date	

Section B: Applicant (Transferor) Details – if applicant is an individual person or persons comprising a trust

Name	
Residential address	
Registered trust address	
Postal address	
ABN	
Contact name	
Contact phone	
Email	

Section B: Applicant (Transferor) Details – If applicant is a company

Company name	
Registered address	
Postal address	
ACN	
Contact name	
Contact phone	
Email	

Section C: Transferee Details – If transferee is an individual person or persons comprising a trust

Name	
Residential address	
Registered trust address	
Postal address	
ABN	
Contact name	
Contact phone	
Email	

Section C: Transferee Details – If transferee is a company

Company name	
Registered address	
Postal address	
ACN	
Contact name	
Contact phone	
Email	

Section D: Other Regulatory Instruments

Does the licenced activity require a Marine Farming Lease (M/L) under the <i>Marine Farming Planning Act 1995</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
M/L No.	
If Yes, has the M/L been transferred to the person or company nominated in this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable

Does the licenced activity require a Marine Farming Sub-Lease (SL) under the <i>Marine Farming Planning Act 1995</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
If Yes, has the SL been transferred to the person or company nominated in this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable

Does the licenced activity require a Marine Farming Licence (MFL) under the <i>Living Marine Resources Management Act 1995</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
MFL No.	
If Yes, has the MFL been transferred to the person or company nominated in this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable

Does the licenced activity require a Marine Farming Permit (MFP) under the <i>Living Marine Resources Management Act 1995</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
MFP No.	
If Yes, has the MFP been transferred to the person or company nominated in this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable

Does the licenced activity require an Inland Fisheries Licence (IFL) under the <i>Inland Fisheries Act 1995</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
IFL No.	
If Yes, has the IFL been transferred to the person or company nominated in this application?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable

Does the licenced activity require a Land Use Planning Permit under the <i>Land Use Planning and Approvals Act 1993</i>?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable
Council	
Permit No.	

Section E: Transferee History

Is the transferee currently disqualified under section 42ZF(8) of the *Environmental Management and Pollution Control Act 1994* from holding an Environmental Licence?

Yes No

Has the transferee operated in any other State or Territory, other than Tasmania in the last five (5) years?

Yes No

If 'Yes' list all States and Territory jurisdictions in which the transferee has operated in the last five (5) years and provide a contact for the relevant environmental regulator/s in each jurisdiction.

Has the transferee been convicted, during the previous 5 years, of any offence against the *Environmental Management and Pollution Control Act 1994* or any other Tasmanian Act, or any law of another State, Territory or the Commonwealth that relates to the protection of the environment?

- attach a company national police history record check for the last five (5) years.

Note: in accordance with **section 20** of the ***Monetary Penalties Enforcement Act 2005*** a person is deemed convicted of an offence in Tasmania when they make full or part payment of, or fail to elect a court hearing for, or apply to vary the payment of, an Infringement Notice.

Yes No

If 'Yes' provide or attach details:

Who are the associates of the transferee?

The transferee must provide a list of associates* including name and position held within the company structure, including the parent company, if applicable.

* "associate" is defined under section 42B of the *Environmental Management and Pollution Control Act 1994*. EMPCA.

An associate means a person (or any body of persons, corporate or unincorporate) who;

- holds or will hold any relevant financial interest in the business of any share in capital or any entitlement to receive any income derived from the business; or
- holds or will hold any relevant power (whether in their own right or on behalf of any other person) to participate in any directorial, management or executive decision, or to elect or appoint any person to the position of director, manager, or other executive position or secretary, however that position is designated in the business; or
- holds or will hold a relevant position of director, manager or other executive position or secretary, however that position is designated in that business; or
- is a spouse or in a personal relationship within the meaning of the *Relationships Act 2003*, parent, child or sibling of the transferee**.

** only relevant where the transferee is a natural person.

Has an associate of the transferee been convicted, during the previous 5 years, of any offence against the *Environmental Management and Pollution Control Act 1994* or any other Tasmanian Act, or any law of another State, Territory or the Commonwealth that relates to the protection of the environment?

- Attach a national police history record check for any persons (natural or body corporate) who are associates of the transferee.

Yes No

Where an associate has been convicted of an offence that relates to the protection of the environment details of the conviction(s) must also be provided below.

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Section F: Declaration

I hereby declare that the information provided in this application is true and correct.

Under **section 43A** of the *Environmental Management and Pollution Control Act 1994* it is an offence to submit false or misleading information on this application.

Applicant (Transferor) Name	
Signature of applicant (or duly authorised Officer)	
Company Seal (if applicable)	
Date	

I hereby declare that the information provided in this application is true and correct.

Under **section 43A** of the *Environmental Management and Pollution Control Act 1994* it is an offence to submit false or misleading information on this application.

Transferee Name	
Signature of transferee (or duly authorised Officer)	
Company Seal (if applicable)	
Date	

Privacy Statement

Your personal information is required for the issuing of an Environmental Licence under the *Environmental Management and Pollution Control Act 1994*. It will be used by the EPA for the purposes permitted under that Act, and may be disclosed to agents of the Crown and other organisations authorised to use it. It will be managed in accordance with the *Personal Information Protection Act 2004* and may be accessed by you upon

request. You may be charged a fee for that service.

Section G: Items to be lodged with this application (if applicable)

Supporting information relating to transfer of Environmental Licence.

This is to include copies of:

- the relevant regulatory instruments from Section D above; and
- relevant documentation and requested information (police history record checks) from Section E above.

Further information may be required from the applicant (transferor) and transferee following consideration of this application by the Environment Protection Authority.