

INSTRUCTIONS FOR COMPLETING A FORM V-2

PART A

1. Before completing the form **read** these instructions. Use **BLOCK LETTERS** when completing the form.
2. **Authorization Holder** - Specify the full name, business address, postal address and email address (if applicable) of the authorization holder(s) as recorded on the authorization(s). If the authorization holder is a corporation, print the Australian Company Number ('ACN') and the Australian Business Number ("ABN") after the name. Specify the business hours telephone and facsimile numbers.
3. **Authorization(s) to be varied** – Specify the nature of the Authorization and number - e.g. "Fishing Boat Licence Number 9999", "Shark Bay Snapper Managed Fishery Licence Number 9999" or "Fish Processors Licence Number 9999".

PART B

4. **Details of Proposed Variation** – Specify the details of the variation which is being sought, and of any other authorization that it is intended be varied.

Specify whether any 'Additional Sheets' (for example, 'West Coast Rock Lobster Fishery – Zones A & B Form 1') are included with the Application. If none, state "nil"

5. **Stamp duty** - The *Stamp Act 1921* provides for the payment of stamp duty. The documentation referred to at Item 9 of the Office of State Revenue 'Circular No. 73' in respect of transactions under the Fish Resources Management Act 1921 must accompany the application form.
6. **Consent under section 140(5)** – If a security interest notation on the register is not to be removed prior to the proposed variation, then the authorization holder may consent to the application proceeding within the 21-day period of notice mentioned in subsection 140(4). Note: A form for the removal of a security interest notation is available from the Department of Fisheries.
7. **Date variation is intended to occur** – Specify when it is intended that the variation be effected . eg. "immediately" or "On (date)". **Note:** it is the responsibility of an authorization holder to ensure that the authority of a licence is not exceeded either before or after variation. **Note:** the variation will not necessarily be effected on a date specified. The formal approval of the Executive Director will be given in writing when the variation is effected.
8. **Declaration** - There are penalties under the *Fish Resources Management Act 1994* for making false or misleading statements.

9. **Execution of application**

Signatures – All the persons recorded on the register as being holders of the authorization must sign and date the application form. An Executor may only apply if already recorded as Executor on the relevant authorization. A copy of the Grant of Probate must be lodged with the application form (unless previously provided).

Corporations – The company must properly execute the form. A copy of the register of the directors/officers (names and addresses), together with a copy of that part of the constitution governing the use of the seal (if any) **must be provided** with the form. Where the form is executed by a sole director/secretary the relevant declaration under section 129 of the Corporations Law must be made.

Attorney - If the authorization holder has appointed an Attorney, the Attorney signing may be requested to produce the relevant Power of Attorney instrument for viewing and a copy for recording.

PART C

10. **Consent of Holder of Security Interest** - The security interest holder may consent to the application proceeding within the 21-day period of notice mentioned in subsection 140(4). See also 6 above. Refer to clause 9 for execution requirements.

APPLICATION FOR THE VARIATION OF AN AUTHORIZATION

This Form is to be used by the holder of an authorization to apply to the Executive Director for the variation of the authorization where it is intended that another authorization also be varied. [For example, the increase or reduction of entitlement under a West Coast Rock Lobster Managed Fishery zone A or B managed fishery licence.]

Further Information sheets may be required for certain applications and are available on request (Refer to “Part B” of Instructions for Completing a Form V-2).

A person who applies to the Executive Director for the variation of an authorization, is not entitled to the variation as of right, except where a management plan specifically provides otherwise (see section 142(3) of the Act)

Application Fee

The Prescribed Application fee must accompany this Application.

Note: Application Fees are set out in *Fish Resources Management Regulations 1995*, Schedule 1, Part 2. Fees may be subject to change.

Stamp duty

Under the provisions of the *Stamp Act 1921*, stamp duty is payable with respect to the transaction the subject of this application.

Please refer to ‘Circular No. 73’ of the Office of State Revenue for further details regarding your obligations under that Act, and for the requirements that must be satisfied before the Executive Director can receive this application form.

Consent of Security Interest Holder

If a security interest in an authorization has been noted on the Register under s.127 of the Act, the Executive Director may only vary the authorization within the twenty-one-day period referred to in s.130 of the Act if both the authorization holder and the security interest holder have given written consent. Refer to s.140(4) of the Act.

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.

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 PERTH WA 6000
 Ph: (08) 9482 7333
 Fax: (08) 9482 7390

Office Use Only	
Date Received:	
Fee Paid:	
Receipt No:	

Fish Resources Management Act 1994
 Sections 135 & 142

Application for the Variation of an Authorization (Form V-2)

To the Executive Director: The authorization holder specified in Part A hereby applies to the Executive Director for the variation of the authorization(s) specified in 3 below in the manner set out in Part B.

PART A

1. I **declare** that I have read the 'Instructions for Completing a Form V-2' and the 'Office of State Revenue ("OSR") Information Notice' in respect of transactions under the *Fish Resources Management Act 1994*.

2. **Authorization Holder:**

Name(s):

Business Address:

Postal Address:

ACN: ☎ : Fax:

ABN: Email:

3. **Authorization(s) to be varied**

Authorization Nature and No:

.....

Authorization Nature and No:

.....

Authorization Nature and No:

.....

PART B

4. **Details of Proposed Variation**

.....

.....

.....

If an application for the variation of another authorization is accompanying this application, give details of the authorization and authorization holder:

.....

.....

Specify what 'Additional Sheets' (if any) are included with this application

.....

5. **Stamp duty**

Is this application made pursuant to a written agreement for the variation of the authorization?

[yes / no]

If “Yes”, provide evidence to show that the written agreement has been lodged with the Commissioner of State Revenue for assessment of duty. Refer to Item 9 on the OSR ‘Circular No. 73’ for details.

If “No”, a copy of the stamped dutiable statement prepared pursuant to section 31B of the Stamp Act 1921 must be provided with this application. Refer to Item 9 on the OSR ‘Circular No. 73’ for details.

6. Consent under section 140(5)

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

[yes / no]

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

[yes / no / NA]

7. Date variation is intended to occur:

8. Declaration

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

Corporation

The Common Seal of the authorization 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):

Attorney

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

PART C

10. Consent of security interest holder(s)

A holder of a noted on the register may consent to the variation of the authorization in accordance with this Application.

I/We the registered holder(s) of a security interest over the authorization specified in Part A (2) (above) hereby consent to the grant of this application by the Executive Director **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: