



DEPARTMENT OF PRIMARY INDUSTRIES AND REGIONS

APPLICATION TO TRANSFER A MARINE AQUACULTURE LEASE

(Pursuant to section 39 *Aquaculture Act 2001*)

Applications must be lodged by:

Email: PIRSA.aquaculture@sa.gov.au

Or

Mail: PIRSA Aquaculture, GPO Box 1625, Adelaide SA 5001

For assistance or further information:

Telephone: (08) 8207 5332

Email: PIRSA.aquaculture@sa.gov.au

Visit: <http://www.pir.sa.gov.au/aquaculture>

Lease Number:	Name of Lease Holder/s:
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PLEASE NOTE

Are you intending to transfer the licence also? YES ☐ NO ☐

Please Note: If you answered **YES**, ***a separate application is required to activate the licence transfer.*** This application is to transfer the lease only. Please contact PIRSA Fisheries & Aquaculture on (08) 8207 5332 to request an *Application to Transfer a Marine Aquaculture Licence*.

1 – INSTRUCTIONS & APPLICATION CHECKLIST

1.1 – INSTRUCTIONS FOR APPLICANT

- Carefully read all information contained in this application form and complete all parts of the application form in full, including all attachments;
- Write legibly using a blue or black pen, or use a software program “Fill & Sign” function;
- PIRSA Fisheries and Aquaculture may request supporting documentation or further information beyond what is contained in this application form in assessing the application;
- Incomplete applications, or those requiring additional information, may be refused if the information is not provided within the specified period as requested by PIRSA Fisheries and Aquaculture.
- An application fee invoice will be generated once the completed application has been received.

1.2 – APPLICATION CHECKLIST TO BE COMPLETED BY CURRENT LEASE HOLDER

- ☐ **Outstanding Fees:** Current Lease Holder(s) must ensure all outstanding fees owed to PIRSA are settled before any application for lease -related changes is approved. PIRSA reserves the right to withhold or refuse any applications in cases of outstanding debt.
- ☐ **Environmental Monitoring Program:** This report has been submitted to PIRSA Fisheries & Aquaculture for the most recent three (3) reporting periods.
- ☐ **Production Return:** This report has been submitted to PIRSA Fisheries and Aquaculture for the most recent three (3) reporting periods.
- ☐ **Remove the Registration of a Nominated Specified Person:** (if applicable) Section 4 of the application has been completed.
- ☐ **Reason for the transfer:** (e.g. sale of business/death)
For a deceased lease holder, please forward a certified copy of grant of probate.
- ☐ **ASIC Company Extract:** (if the lease is held by a company/body corporate) A current company extract, no more than 3 months old, is required with full company details including current company directors.
- ☐ I understand that **my application will be refused if I have outstanding fees** with PIRSA.
- ☐ **I understand my lease will not be transferred if the above requirements are not met.**

1.3 – APPLICATION CHECKLIST TO BE COMPLETED BY NEW LEASE HOLDER

- ☐ **Outstanding Fees:** New Lease Holder(s) must ensure all outstanding fees owed to PIRSA are settled before any application for lease-related changes is approved. PIRSA reserves the right to withhold or refuse any applications in cases of outstanding debt.
- ☐ **Certificate of Currency for Public Liability Insurance:** A current document is attached to this application, stating the lease holder's name, the lease number covered, showing the expiry date, be in the amount of \$10 million and noting the Minister for Primary Industries and Regional Development as an Interested Party.
- ☐ **Bank Guarantee or proof of contribution to an Approved Indemnity Scheme:** A current document is attached to this application. An original Bank guarantee document in the lease holder's name and in an amount approved by the Minister to enable full rehabilitation of an aquaculture site per lease **or** a current Association membership (with an approved indemnity scheme), stating the lease holder's name, the lease number covered by the Association's rehabilitation indemnity fund and the term of cover (start and end date). Note – an email confirmation from the Association may be required.
- ☐ **ASIC Company Extract:** (if the lease is held by a body corporate) A current company extract, no more than 3 months old, is required with full company details including current company directors.
- ☐ **Add a Nominated Specified Person:** (if applicable) A separate application to nominate a specified person (third party) has been submitted. Please contact PIRSA Fisheries & Aquaculture on (08) 8207 5332 if you require a copy of this application.
- ☐ **I understand the lease will not be transferred if the above requirements are not met.**
- ☐ I understand that **my application will be refused if I have outstanding fees** with PIRSA.

2 – LEASE DETAILS

2.1 – TO BE COMPLETED BY THE CURRENT LEASE HOLDER

Type of Lease:

Corresponding Licence number:

Name of lease holder/s:

Telephone number:

Mobile number:

Email address:

Postal address

Suburb:StatePost Code

3 – AGENT OR REPRESENTATIVE HANDLING THIS APPLICATION

Is an agent or representative (broker/solicitor/conveyancer) handling this application? YES ☐ NO ☐

Name of Agent/ Representative:

Full Name of Contact Person:

Preferred Contact Number:

Email:

Please indicate:

☐ Agent acting on behalf of current lease holder

☐ Agent acting on behalf of new lease holder

4 – REMOVING THE INTEREST OF A NOMINATED SPECIFIED PERSON

To be completed by the nominated specified person (if applicable)

A nominated specified person is a person or company who is recorded as having an interest in a specified aquaculture lease. This interest is currently recorded on the public register established by section 80 of the *Aquaculture Act 2001*.

This application is to have the notation of this interest **removed** from the register.

Lease number to which interest relates:

Full Name of Specified Person (First Name, Company Name or Bank):

.....

(If the Interest Holder is a Bank) Full Name of Bank representative:

.....

Position within bank:

Official Bank Stamp:

(If the interest holder is a Company) Full Name of the Director completing this form on behalf of the company:

.....

Please attach a current ASIC Company extract no more than 3 months old from lodging this application. The extract should list the details of all directors of the company.

Address:

Suburb: State Post Code

As a nominated specified person recorded on the Aquaculture Public Register as having an interest in the above named lease, I consent to have the notation of this interest removed and the lease transferred.

Signed.....Date/...../.....

5 – DECLARATION OF CURRENT LEASE HOLDER

To be completed by all current lease holder/s Individual/s and/or Company/Body Corporate Directors

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under the *Aquaculture Act 2001*.

Maximum penalty: \$5,000

All parties who have an interest in the lease registered by notation on the public register established by section 80 of the *Aquaculture Act 2001* have provided their consent to this transfer.

I/We seek the Minister's consent to transfer this lease to the new lease holder/s.

I/We declare that the information provided in this form is true and accurate.

Please Note:

If the lease is held by individual/s, the signature of all individual/s is required.

If the lease is held by a company/body corporate, one of the following is required:

- The signature of two directors of the company; or
- The signature of a director and a company secretary; or
- If the company has a sole director who is also the sole company secretary, that director.

These requirements apply to all company applicants where multiple companies are applying for or hold the lease.

Full Name:Signature: Date: .../...../.....

Full Name:Signature: Date: .../...../.....

Full Name:Signature: Date: .../...../.....

Full Name:Signature: Date: .../...../.....

6 – TRANSFEREE DETAILS

6.1 TO BE COMPLETED BY THE NEW LEASE HOLDER

Pursuant to the *Aquaculture Act 2001*, the holder of an aquaculture lease/licence must be a *person*, and a person includes an Individual/s and/or a Company/Body Corporate.

Please note: A company/body corporate must be registered with ASIC (Australian Securities and Investments Commission). It is not a trading name or a trust fund or a superannuation fund. A current company extract, no more than 3 months old, is required with full company details including current company directors

Name of all new lease holders

Lease Holder 1:

Lease Holder 2:

6.2 The lease is to be held by Individual/s

This person will also be the primary contact for all correspondence.

Title (Dr, Mr, Mrs, Miss, Ms):

First name: Middle name:

Surname:

Date of birth:/...../.....

Phone number: Mobile number:

I would like to receive reminders for payment of lease fees by SMS? YES ☐ NO ☐

Email address:

Residential address:

Suburb: State: Postcode:

Postal address:

Suburb: State: Postcode:

6.2 The lease is to be held by Individual/s (continued)

Title (Dr, Mr, Mrs, Miss, Ms):

First name: Middle name:

Surname:

Date of birth:/...../.....

Phone number: Mobile number:

Email address:

Residential address.....

Suburb: State: Postcode:.....

Postal address.....

Suburb: State: Postcode:

If the lease is being transferred to more than two parties, please provide the personal details (as above) of additional transferees on a separate page.

6.3 The lease is to be held by a Company/Body Corporate

Company name:

Full name of primary contact person:

This person will be the primary contact for all correspondence

ACN:

Phone number: Mobile number:

I would like to receive reminders for payment of lease fees by SMS? YES ☐ NO ☐

Business email address:

Business address.....

Suburb: State: Postcode:.....

Postal address.....

Suburb: State: Postcode:.....

6.3 The lease is to be held by a Company/Body Corporate

Please list the details of all directors of the company/body corporate

Full name of director 1:Date of birth:/...../.....

Preferred contact number:Email address.....

Residential address:

Full name of director 2:Date of birth:/...../.....

Preferred contact number: Email address.....

Residential address:

Full name of director 3:Date of birth:/...../.....

Preferred contact number: Email address.....

Residential address:

Full name of director 4:Date of birth:/...../.....

Preferred contact number:Email address.....

Residential address:

List the details of additional directors on a separate page.

7 – SITE DEVELOPMENT DETAILS

7.1 Provide details of the development rate for the site.

A site is considered to be fully developed when a minimum of 70% of the maximum number of structures (e.g. racks/ longlines/ cages) as stated in all corresponding licences or 70% of the maximum biomass as stated in all corresponding licences, is farmed on the site in each year of the lease.

Is the site fully developed? YES ☐ NO ☐

7.2 Please indicate your proposed rate of development as a percentage of the total area to be developed.

Development rate as at 30 June 2025	e.g. 50 %
Development rate as at 30 June 2026	e.g. 80 %
Development rate as at 30 June 2027	e.g. 100 %

8 – DECLARATION BY TRANSFEREE

To be completed by the new lease holder/s – Individual/s and/or Company/Body Corporate Director/s

A person must not make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of any particular) in any information provided under the *Aquaculture Act 2001*.

Maximum penalty: \$5,000

I/ We understand that if the lease is transferred to me/us we must comply with all lease conditions, statutes, regulations, by-laws, ordinances, rules or other forms of statutory instruments or delegated legislation applicable to the lease area or to the use of the lease area by the Lessee, including but not limited to the *Aquaculture Act 2001*, *Aquaculture Regulations 2016* and the *Livestock Act 1997*.

I / We agree to the transfer of this lease to me/us once the Minister has given consent to the transfer.

I/We declare that the information provided in this form is true and accurate.

PLEASE NOTE

If the lease is held by individual/s, the signature of all individual/s is required.

If the lease is held by a company/body corporate, one of the following is required:

- The signature of two directors of the company; or
- The signature of a director and a company secretary; or
- If the company has a sole director who is also the sole company secretary, that director.

These requirements apply to all company applicants where multiple companies are applying for or hold the lease.

Full Name: Signature: Date:/...../.....

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Full Name: Signature: Date:/...../.....