

Application Form 8h

Transfer of a land based marine mammal permit application



Department of
Conservation
Te Papa Atawhai

New Zealand Government

The existing holder of the permit (Applicant) who applies to transfer the permit must check and complete page 2 and the proposed new holder of the permit (proposed Transferee) must complete the subsequent pages. The Applicant must ensure ALL sections are completed before emailing the form to permissions@doc.govt.nz.

For Marine Mammal queries or questions about the process please contact:

Email: permissionschristchurch@doc.govt.nz

Please note, the transfer application is to be made on the basis that the operation is to continue like for like. It is important to ensure that the current levels of activity are understood as it may not be possible to make any increases in effort. If the proposed Transferee needs to amend any of the following aspects of the current operation, or is likely to need to amend them in the future, please contact a Department of Conservation permissions advisor before completing the form:

- type and number of vehicles;
- proposed area of operation;
- maximum number of vehicles operating at any one time;
- base of operation;
- duration of trips;
- frequency of trips;
- type of contact with marine mammals;
- maximum numbers of passengers;
- species of marine mammals.

If the Grantor gives consent to this Application, then the Applicant remains liable to observe and perform the terms and conditions of this Permit until the Transferee has duly executed and returned to the Grantor the amended permit.

Once the application form has been filled in, please complete this checklist to ensure that all components of your application are complete. This will help prevent any possible delays in the processing of your application.

Proposed Transferee's legal status registration number (e.g. Companies Office registration number) or date of birth (if an individual)

Has the proposed Transferee read and accepted the section regarding the liability of the applicant for payment of fees?

Have the proposed Transferee and the Applicant signed the application?

The proposed Transferee understands that amendments need to be assessed for their effect on marine mammals and will be subject to approval.

All efforts in putting together a detailed application are greatly appreciated and will allow the Department to effectively and efficiently process your application.

This page must be completed by the Applicant

Details of Existing Permit

Permission number

Holder of existing permit

Date Permit started

Date of Expiry

Transferor Declaration

I/We apply to transfer this permit to the proposed Transferee identified in Item A overleaf.

Reason for transfer		
Date of transfer e.g. date of the business settlement		
		Please tick
Payment of existing permit fees	I have paid all my permit fees (where relevant) up to the date of transfer	<input type="checkbox"/>
Liability	I understand that I will remain liable to observe and perform the terms and conditions of this Permit until the proposed Transferee has duly executed and returned to the Grantor an amended permit.	<input type="checkbox"/>
Signature (Applicant)		Date

All blank sections must be completed by the proposed Transferee

A. Proposed Transferee Details

Proposed Transferee Name (full name of registered company or individual)								
Legal Status of Proposed Transferee (tick)	Individual		Registered Company		Trust		Incorporated Society	
Other (please specify full details)								
Please supply the company, trust or incorporated society registration number:								
If an individual please supply your date of birth (this is a unique identifier for you):								
Trading Name (if different from Proposed Transferee name)								
Postal Address								
Street Address (if different from Postal Address)								
Registered Office of Company or Incorporated Society (if applicable)								
Phone				Website				
Contact Person and role								
Phone				Cell Phone				
Email								
Contact Person and role								
Phone				Cell Phone				
Email								

B. Activities applied to transfer

Please fill in all the forms that are applicable. Please tick below the forms that have been completed and attach with this form. Please note that these forms are a necessary requirement of the application process and must be filled out in full.

ACTIVITY	FORM	✓
Vessel Based Viewing Transfer	8g	
Aircraft Based Viewing Transfer	8i	
Swimming with marine mammals	8e	

C. Background Experience of Proposed Transferee

Please provide relevant information relating to the Proposed Transferee's knowledge and experience operating with Marine Mammals. *N/B - Please note that this section is for the Proposed Transferee as the operator. Section D is to be completed for staff/guides and skippers.*

Please provide relevant information relating to the Proposed Transferee's knowledge and experience operating within the region and local area, and of the sea and weather conditions.

Has the Proposed Transferee or any of the company directors, trustees, partners, or anyone involved with the Proposed Application been convicted of any offence?

Yes

No

Does the Proposed Transferee or any of the company directors, trustees, partners, or anyone involved with the Application have any current criminal charges pending before the court?

Yes

No

If yes, please supply details:

D. Operation

Species

New Zealand Fur Seal

New Zealand Sea Lion

Other (please list below)

Location information

Base of operation:

Proposed area of operation:

Specific locations where contact with marine mammals is proposed:

Proposed route to, along and across the shore:

You must attach a map of the proposed area of operation; it must clearly show the boundaries of the area, any specific locations where contact with marine mammals is likely, and expected routes.

Trip details

Frequency - proposed months of operation:

Frequency - number of trips per annum:

Frequency - number of trips per day:

Duration of trips:

Maximum number of vehicles operating at any one time:

Maximum number of passengers:

Drivers, guides and other relevant staff

Please fill in for every staff member who may come into contact with marine mammals throughout the course of the proposed operation. (Copy and Paste additional fields for extra staff members)

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	Yes No
If "yes", please provide details:	
Relevant experience with marine mammals:	

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	Yes No
If "yes", please provide details:	
Relevant experience with marine mammals:	

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	Yes No
If "yes", please provide details:	
Relevant experience with marine mammals:	

Full Name:	Job Title:
Has this person had any convictions or prosecutions for offences against the Act or any other Act involving the mistreatment of animals?	Yes No
If "yes", please provide details:	
Relevant experience with marine mammals:	

E. Additional information

Maximum time to be spent with marine mammals per individual encounter:

Maximum cumulative time for all encounters with marine mammals during trip:

Nature of the contact with marine mammals:

Primary purpose	Secondary purpose
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Vehicle approach route and orientation of approach relative to seals or sea lions:

Position of vehicles relative to seals or sea lions, the shore and the sea while viewing:

Distances to each species:

How groups of people will be managed in the vicinity of seals or sea lions in particular to manage noise and behaviour

Behaviour around breeding colonies, nurseries and pups:

What other actions you will take to minimise disturbance of the marine mammals:

How will you depart from the marine mammals?

Vehicle departure route and orientation of departure relative to seals or sea lions

F. Educational material

G. Fees

Processing fees

Section 60B of the Conservation Act contains the statutory provisions regarding processing fees.

The Department recovers all costs to process a transfer of permit regardless of whether the application is approved or declined. If at any stage an application is withdrawn the Department shall invoice for the costs incurred by the Department up to that point.

By signing the Declaration on this form, the Transferee is agreeing to that all costs associated with the processing of this application will be paid.

Paying fees

The Department will ordinarily invoice the applicant for processing fees after a decision has been made on the application, but in some cases interim invoices will be issued.

If you have a purchase order/number from an organisation registered with the Department (required for all Councils) please supply below.

Terms and Conditions for an Account with the Department of Conservation:

Have you held an account with the Department before? (Please tick)	Yes	No
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If yes, under what name:

1. I/We agree that the Department of Conservation can provide my details to the Department's Credit Checking Agency to enable it to conduct a full credit check.
2. I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.
3. I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.
4. I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.
5. I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.
6. I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions of the credit account are not met.

Proposed Transferee Declaration

I certify that the information provided on this application form and attached additional information is to the best of my knowledge, true and correct. If the transfer is approved, I/we agree to abide by the terms and conditions of Permit Number: ***-MAR**

Note: The Director-General can vary any permit granted if the information given in this application contains inaccuracies.

In ticking this checklist and placing your name below you are acknowledging that you have read and agreed to these terms and conditions for an account with the Department of Conservation

Terms and Conditions	Tick
I/We agree that the Department of Conservation can provide my/our details to the Department's credit checking agency to enable it to conduct a full credit check.	
I/We agree that any change which affects the trading address, legal entity, structure of management or control of the applicant's company (as detailed in this application) will be notified in writing to the Department of Conservation within 7 days of that change becoming effective.	
I/We agree to notify the Department of Conservation of any disputed charges within 14 days of the date of the invoice.	
I/We agree to fully pay the Department of Conservation for any invoice received on or before the due date.	
I/We agree to pay all costs incurred (including interest, legal costs and debt recovery fees) to recover any money owing on this account.	
I/We agree that the credit account provided by the Department of Conservation may be withdrawn by the Department of Conservation, if any terms and conditions (as above) of the credit account are not met.	
I/We agree that the Department of Conservation can provide my details to the Department's debt collection agency in the event of non-payment of payable fees.	

Transferee Signature		Date	
Transferee Name (of authorised person/s)			

This application is made pursuant to regulation 14 of the Marine Mammals Protection Regulations 1992.

Applicants should familiarise themselves with the relevant regulations of the Marine Mammals Protection Regulations 1992.

The Department may also recover all reasonable costs under section 60D of the Conservation Act 1987 that are incurred in administering and monitoring the proposed operation, subject to its approval.

In accordance with regulation 10(2) of the Marine Mammals Protection Regulations 1992, this application shall form part of any permit issued and shall be complied with accordingly.

NOTE: When applying for this permit bear in mind that the application will be assessed having regard to the applicable matters in regulations 6 to 9 of the Marine Mammals Protection Regulations 1992. The matters in regulation 6 are set out below. Further information may be sought from you for this assessment if this application is not completed fully.

Criteria for issuing permits:

Before issuing a permit, the Director-General shall be satisfied that there is a substantial compliance with the following criteria:

- (a) That the commercial operation should not be contrary to the purposes and provisions of the Act:
- (b) That the commercial operation should not be contrary to the purposes and provisions of the general policy statements approved under section 3B of the Act, conservation management strategies approved under section 3C of the Act, or conservation management plans approved under section 3D of the Act:
- (c) That the commercial operation should not have any significant adverse effect on the behavioural patterns of the marine mammals to which the application refers, having regard to, among other things, the number and effect of existing operations:
- (d) That it should be in the interests of the conservation, management, or protection of the marine mammals that a permit be issued:
- (e) That the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should have sufficient experience with marine mammals:
- (f) That the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should have sufficient knowledge of the local area and of sea and weather conditions:
- (g) That the proposed operator, and such of the operator's staff who may come into contact with marine mammals, should not have convictions for offences involving the mistreatment of animals:
- (h) That the commercial operation should have sufficient educational value to participants or to the public.

The purpose of collecting this information is to enable the Department to process your application. The Department will not use this information for any reason not related to that purpose.

Applicants should be aware that provisions of the Official Information Act might require that some or all information in this application be publicly released.