

Included Persons

under the Fisheries Act 1996



This form is a declaration by you about your relationships with other persons in the fishing industry (included persons), for the purposes of administering sections 59, 60 and 61 (aggregation limits) and sections 78 and 79 (prohibitions and suspensions of permits) of the Fisheries Act 1996

Applicant/Registered Client Details

Client number

Full legal name

If you require further explanation, we suggest you contact a solicitor.

Do you have any included persons for the purposes of sections 59 (aggregation limits), 78 and 79 (prohibitions and suspensions of permits)?

- Yes → Complete the remainder of this form, sign the declaration and forward the form to FishServe
- No → Sign the declaration and forward the form to FishServe

Additional Pages

Have you attached any additional pages?

- No
- Yes → Total number of additional pages attached

General Notes

- All information on this application must be typewritten or handprinted in legible letters using ink. Correction fluid may not be used.
- The person(s) signing this form must initial every page.
- All amendments and any additional pages must be initialled by the person(s) signing the form.
- Please present this document by post to FishServe, PO Box 297, Wellington or in person to Level 6, Eagle Technology House, 135 Victoria Street, Wellington 6011.
- If you have any queries regarding this form, please contact the FishServe helpline on 04 460 9555.

Initials

FishServe Use Only

Initials _____

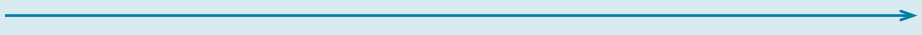
Data Entry completed ____ / ____ / ____

OFFICE USE ONLY

DATE PRESENTED

A**Aggregation Limits**

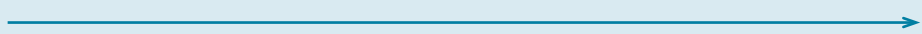
Please list below all included persons for the purposes of administering sections 59, 60 and 61 of the Fisheries Act 1996. Please refer to the notes on the opposite page for assistance.



	Client Number	Legal Name	Effective Date	Description of Relationship
1			/ /	
2			/ /	
3			/ /	
4			/ /	
5			/ /	
6			/ /	
7			/ /	
8			/ /	
9			/ /	
10			/ /	
11			/ /	
12			/ /	
13			/ /	
14			/ /	

B**Permit Suspensions/Conditions**

Please list below all included persons for the purposes of administering sections 78 and 79 of the Fisheries Act 1996. Please refer to the notes on the opposite page for assistance.



	Client Number	Legal Name	Effective Date	Description of Relationship
1			/ /	
2			/ /	
3			/ /	
4			/ /	
5			/ /	
6			/ /	
7			/ /	
8			/ /	
9			/ /	
10			/ /	
11			/ /	
12			/ /	
13			/ /	
14			/ /	

Note

If you wish to add more included persons than the space provided please photocopy this page.

Notes

Client Number

Please enter the included person's client number.

Effective Date

Please enter the date the relationship began with the included person named.

Description of Relationship

A For the purposes of included persons in regards to aggregation limits

Please select the word that best describes your relationship and use this word in the 'Description of Relationship' section.

Partnership	Associate
Director/Employee	Trustee/Beneficiary
Relative	Other

B For the purposes of included persons in regards to permit suspension/conditions

Please select the word that best describes your relationship and use this word in the 'Description of Relationship' section.

Subsidiary Company	Partnership	Unincorporated Joint Venture
Parent Company	Other	

Declaration

This declaration must be made by the applicant/registered client. The included persons do not need to sign this form.

I declare that:

- I have informed the persons listed on this form that I have declared them as included with me for the purposes of the Fisheries Act 1996.
- I understand that the information on this declaration will be used to administer sections 59, 60, 61, 78, 79, and 255 of the Fisheries Act 1996, which may result in the forfeiture of quota of an included person, or suspension or prohibition of a permit of an included person.
- The information I have given on this application is true and correct in all respects.
- I understand I am required to notify FishServe if there are any changes in the particulars provided on this form.
- I am aware it is an offence to knowingly provide false or misleading information or omit any material information to obtain a benefit under the Fisheries Act 1996.
- I have read and understood the Collection of Personal Information details supplied with this form.

If there are more signatories than space provided make further declarations on a copy of this page.

Full Legal Name of Signatory (Please PRINT)	Position	Signature	Date
			/ /
			/ /
			/ /
			/ /

Relationships for the purposes of administering Aggregation Limits in accordance with sections 59, 60(4) and 61 of the Fisheries Act 1996

For the purposes of sections 59, 60(4) and 61, the term **person**, in relation to a particular person includes:

- (a) any person who is in partnership with the person:
- (b) any person who is a director or employee of any company of which the person is a director or employee:
- (c) any person who is a relative of the person as defined in paragraph (a) of the definition of that term in section OB 1 of the Income Tax Act 1994:
- (d) any person who would be an associated person under the test provided in section OD 7 of the Income Tax Act 1994, except that subparagraph (a)(v) of the definition of market value circumstance in section OB 1 of that Act does not apply:
- (e) any beneficiary or trustee of any trust of which the person is a trustee or beneficiary.

Note that for the purposes of these sections the Treaty of Waitangi Fisheries Commission is not regarded as being included with any other person.

Relationships for the purposes of administering Prohibitions and Suspensions of Permits in accordance with sections 78 and 79 of the Fisheries Act 1996

For the purposes of sections 78 & 79 a person or entity is to be treated as a person included with the commercial fisher if the person or entity is:

- (a) a subsidiary of the commercial fisher within the meaning of section 5 of the Companies Act 1993; or
- (b) a company of which the commercial fisher is a subsidiary within the meaning of section 5 of the Companies Act 1993; or
- (c) a partnership or unincorporated joint venture that would be a subsidiary of the commercial fisher, or of which the commercial fisher would be a subsidiary, if the partnership or joint venture were incorporated as a company with shareholdings corresponding to the interests, including returns, of the partners in the partnership or participants in the joint venture.

Note that for the purposes of these sections the Treaty of Waitangi Fisheries Commission is not regarded as being included with any other person.

Collection of Personal Information

In regard to any information being collected on this form that is personal information, notification is hereby provided, in accordance with Principle 3 of the Privacy Act 1993 of the following matters:

This information is being collected for purposes relating to the management of fisheries resources in accordance with the Fisheries Act 1996 and regulations made pursuant to the Act.

The agency that will collect and hold the information is Commercial Fisheries Services Ltd, (trading as FishServe) (PO Box 297, Wellington) and the Ministry of Fisheries. Some personal information will also be recorded on publicly available registers.

The collection of included persons on this form is voluntary.

You are reminded that under Principles 6 and 7 of the Privacy Act 1993, you have the right of access to, and correction of, any personal information which has been provided to FishServe.