

LIVING MARINE RESOURCES MANAGEMENT ACT 1995
SECTION 75 - MINISTERIAL GUIDELINE

SUBJECT: PROVISION OF LICENSING INFORMATION REQUESTS

This guideline replaces the guideline dated 17 July 2003.

BACKGROUND:

Marine Resources staff receive many requests for information in relation to clients for varying reasons. The types of requests are mainly for lists of specific fishers or quota holders and, are usually initiated by industry bodies, individuals, other clients, brokers, financial institutions, solicitors, internal clients etc. An example may be when a processor requests a list of all holders of fishing licences (abalone dive).

Maintaining privacy and confidentiality of personal information, providing business flexibility and the routine provision of public information (vetted), form the parameters for the remittance of information from the registers of authorisations issued under the *Living Marine Resources Management Act 1995* (the Act), *Fishing Licence (Ownership & Interest) Registration Act 2001* (FLOIRA) and the *Personal Information Protection Act 2004* (PIPAAct).

OBJECTIVES OF THE POLICY:

The objectives of this policy are to ensure that requests for information are managed in a consistent, appropriate, confidential and fair manner. Private information relating to clients will be protected. Reports with confidential information included will only be given to those that are entitled to receive it and for legitimate reasons. A paper trail will be created for all requests to enable reports to be traced if necessary. Any public information will be readily available to interested parties so as not to hinder business protocols and the legislative provisions for viewing a register or receiving an extract from the register.

POLICY STATEMENT:

All requests for information in relation to the clients of Marine Resources must be addressed to the General Manager (Primary Industries). The prescribed fee must be paid before any information is released.

ADMINISTRATION OF THE POLICY:

- Without exception, all requests for information in relation to the clients of Marine Resources must be in writing and state the reason for requesting the information.
- All requests made internally (by staff) must be in writing to the Senior Officer (Licensing & Operations) or the Manager (Marine Farming), if the request relates to a marine farming licence. Copies of requests will be filed appropriately.
- Where appropriate the prescribed fee must be paid prior to the information being released.
- Pursuant to Section 298 of the Act, only names and addresses of a person holding an authorisation and/or fishing certificate is to be provided.
- Personal details such as phone numbers will not be provided.
- At the time the report is generated, details of the initiating officer are to be recorded on the report and the written request.
- Any requests that are refused will be refused in writing and the reason for refusal will be provided.

Approved by:



Date: 24/07/2006

David Llewellyn, MHA
Minister for Primary Industries and Water