

Regulation 5, Whale Watching and Whale Swimming Regulations 2013

Note

All commercial services, and their masters, must meet the statutory requirements relating to licencing and qualifications, as the case may require.

PLEASE attach any supporting documents and further pages if space is not adequate for the details required.

The information on this form must be either typewritten or printed legibly in BLOCK letters.

1. Applicant's Details

Name: [Company, Partnership or Individual- Trade names alone are no acceptable.]	Phone No. Business: Private:
Business Address :	Fax :
Postal Address :	Website:
Email Address :	

2. Details of proposed operation

Specify:

a) Nature of Application

	Tick (v) where applicable
Whale Watching Licence Only	
Whale Watching and Whale Swimming Licence	

b) Total Number of Boats:

c) Description of Boat(s)

BOAT 1:	
Size:	
Model:	
Construction:	
Motive Power:	
Carrying Capacity	
BOAT 2:	
Size:	
Model:	
Construction:	
Motive Power:	
Carrying Capacity	
BOAT 3:	
Size:	
Model:	
Construction:	
Motive Power:	
Carrying Capacity	

d) Details of all employees to be engaged in the commercial services :

NAME	EMPLOYMENT	EXPATRIATE/ LOCAL	FULL TIME/ PART TIME

e) Base of Operation:

Please define the proposed area of operation <i>(a map must be included and where appropriate, the specific locations where contact with whales is proposed)</i>	
Frequency of trips per month:	
Time of the Year you intend to operate:	
Maximum number of passengers or persons per trip:	

3. Describe in detail your intended operation.

This must include information on all aspects of the activity, including the following:

a) The nature of contact with whales:
b) Whether swimming with whales is needed:
c) How contact will be initiated and what the process will be:
d) Maximum duration of contact with whales:
e) A detailed procedure and chronology of the trips:

4. Please set out the experience with whales of the proposed applicant and such of the applicant’s staff who may come into contact with whales:

5. Please set out the knowledge of the local area and sea/weather conditions of the proposed applicant and such of the applicant’s staff who may come into contact with whales:

6. Please set out details of any convictions of the proposed applicant and of those employees of the applicant who may come into contact with whales, for offences against any Act involving the mistreatment of animals:

7. Identify two independent persons who will vouch for the applicant.

Name :	
Occupation :	
Address :	Phone :
Name :	
Occupation :	
Address :	Phone :

STATUTORY DECLARATION

This declaration must accompany the application and is to be signed by the applicant, or in the case of a company, by the Managing Director or Chief Executive Officer. Where the application is being made by a partnership, each and every partner needs to make and sign the declaration in the form indicated below:

I/We

	Name <small>(Write down full name)</small>	Place	Occupation
i.			
ii.			
iii.			
iv.			
v.			

do (severally) solemnly declare that all the information contained in this application form is true and correct, and I [we severally] make this solemn declaration conscientiously believing the same to be true and correct.

	Signature(s) declarant(s)
i.	
ii.	
iii.	
iv.	
v.	

Declared at _____ this _____ day of _____ 20

Lodged by :

Name:
Address:

Other contact details:

Telephone:

Email (optional):

Notice to Foreign Investors Only

Where the business is a foreign investment business under the Foreign Investment Act 2002, a Foreign Investment Certificate is REQUIRED before issuance of a Licence. Please attach a copy of the Certificate ONLY if you are a foreign investor (ie. Do not hold a Tongan passport or legal residence in Tonga)

ADDITIONAL INFORMATION

Before you obtain a licence you may be required to obtain other governmental approvals, permits or satisfactory inspection results. The following is a list of requirements that each applicant is required to obtain. By submitting this application for a licence you certify under penalty of law that all such governmental approvals, permits or satisfactory inspection results have been obtained.

- A third party public liability insurance and a copy of insurance policy;
 - Approved seaworthiness certification from the Marine Division of the Ministry responsible for Transport for all vessels used for commercial services;
 - Valid Master's certificate;
 - Certificate of a Coasting Trading licence issued by the Marine Division of the Ministry responsible for transport;
-

Checklist

The following must accompany this form:

- Third party public liability insurance policy
- Seaworthiness Certificate
- Valid Master's Certificate
- Coasting Trading Licence
- The prescribed application fee of TOP\$100 (plus 15% Consumption Tax) -
Please make cheques payable to Ministry of Commerce, Tourism & Labour

*Note that once approved you will be required to pay the prescribed licence fee prior to issuance of your Licence.

- Photo Identification (only if operator is a sole trader or partnership)
-