



Shipping Business Unit Industry Bulletin

Number 5 of 2015 – Temporary Licence Application Requirements

The SBU encourages all applicants for a Temporary Licence to provide the documentation listed below in their new application. Applications may incur time delays if the following requirements are not met. Please note that these requirements do not apply for New Matters or Authorised Matters applications made under an existing Temporary Licence.

In accordance with the *Coastal Trading (Revitalising Australian Shipping) Act 2012*, and as confirmed by the Federal Court of Australia's decision in the case of *CSL Australia Pty Ltd v Minister for Infrastructure and Transport* [2014] FCA 1160, the Minister or the delegate of the Minister must be satisfied that a person is eligible to apply for a Temporary Licence before accepting the person's application.

Section 28(1) of the *Coastal Trading (Revitalising Australian Shipping) Act 2012* provides that the following persons are eligible to apply for a Temporary Licence:

- (a) the owner, charter, master, agent of a vessel; or
- (b) a shipper.

To ensure the SBU can assess new Temporary Licence applications in a timely fashion, we ask all applicants to include in their application documentary evidence demonstrating that they are eligible to apply for a Temporary Licence.

Examples of these documents include:

- Vessel registration certificates (for an owner of a vessel)
- Agency agreements or a letter from the owner certifying such agreements are in place (for an agent of a vessel)
- Proof a person is engaged as a master of the vessel (for a master of a vessel)
- Time or Spot chartering agreements or recaps (for a charterer of a vessel)
- A statement from the applicant certifying it is a shipper of goods and is the producer or recipient of the cargoes proposed to be carried (for a shipper)

These documents may be provided in a redacted form to remove sensitive commercial information.

Please provide these documents to the SBU inbox (shippingbusinessunit@infrastructure.gov.au) upon the submission of a Temporary Licence application. If you have any queries, please contact the Shipping Business Unit by phone (02) 6274 7474 or email.