

Commercial Fisheries Entry Commission

Request for Permanent Transfer of Entry Permit

8800 Glacier Hwy. #109
P.O. Box 110302, Juneau, Alaska 99811-0302
Phone: (907)789-6150/Fax: (907)789-6170
www.cfec.state.ak.us

Instructions:

A Notice of Intent must be on file with the Entry Commission for at least sixty (60) days before a permanent transfer may be completed. There are no exceptions to the sixty (60) day waiting period. A \$50.00 processing fee must be submitted for each transfer requested. To request a permanent transfer a Request for Permanent Transfer of Entry Permit form (Part I through Part VI) must be completed by the permit holder and transferee. Both parties must have their signatures notarized, but they do not have to sign at the same time or place. PART IV on the back of the first page must be completed by both parties. Along with the completed Request for Permanent Transfer form, a copy of the "transfer agreement" or "bill of sale" outlining all terms and conditions of this transfer must be submitted.

The Request for Permanent Transfer form must be submitted to the Entry Commission within 90 days of the date signed by the permit holder. In order to withdraw a transfer request BOTH parties must submit a notarized requests to the Entry Commission.

If the permit has been renewed for the current year the permit card must be submitted with the transfer documents. The permit does not have to be renewed for the current year however, any prior years must be paid. If a permit is held by a deceased fisherman's estate, the legally authorized representative of the estate must complete the transfer documents. A copy of the Letters of Administration or Letters Testamentary verifying that person's legal authority must be submitted with the transfer request.

General Information:

Permits cannot be leased, pledged, mortgaged, attached, distrained, transferred with any retained right of repossession or foreclosure, or encumbered in any way, or on any condition requiring a subsequent transfer. Information on financing is available from the Alaska Department of Commerce, Community and Economic Development, Division of Investments, phone 907-465-2510; or Alaska Commercial Fishing and Agriculture Bank, phone 907-276-2007. An entry permit cannot be permanently transferred while it is subject to a lien filed by the Division of Investments, the Alaska Commercial Fishing and Agriculture Bank (CFAB), or Child Support Services Division (CSSD). Permits may be subject to federal tax liens and child support liens. The parties to a permit transfer are advised to take appropriate measures to protect themselves from the risks associated with federal tax liens.

In order to receive an entry permit the transferee must be physically capable of actively participating in the fishery and have reasonable access to the necessary gear. The Entry Commission does not get involved with the financial transaction between buyer and seller, but for the protection of both parties recommends that an escrow account be established with a bank to handle disbursement of funds. Please note that permanent transfers are not official or final until all required documentation has been received and approved by the Entry Commission, even if money has already been paid and documents signed.

There are permits in a few fisheries which CANNOT be permanently transferred because they were issued under the "minor economic hardship" provisions of the regulations. These nontransferable permits revert to the State upon the death of the holder (or when the holder stops paying renewal fees) and they are NOT reissued.

Transferable limited entry permits survive the death of the permit holder. The permit may be transferred directly to the surviving spouse by right of survivorship unless the deceased holder expressed a contrary intent in a will which has been probated. If the permit is to be transferred to someone other than the surviving spouse, the authorized representative of the estate may make final disposition of the permit by providing a copy of letters of appointment or administration along with the transfer form.

Payment Information:

You can submit a check or money order made payable to the State of Alaska or if paying with a credit card please complete the attached credit card authorization form. You can mail the form directly to our office or you may fax it to 907-789-6170.

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Allow approximately 2 weeks for processing of the transfer request.

Before mailing this form please check that the following items are being submitted and are complete.

- \$50 processing fee enclosed
- Current year permit card (if issued)
- Current year fees (if card has not been issued)
- The transfer survey is complete
- Copy of your bill of sale or transfer agreement
- Form is completed by permit holder and transferee
- Form is signed and notarized

CFEC USE ONLY

Transfer effective: _____

Denied: _____

PART I: TO BE COMPLETED BY THE CURRENT PERMIT HOLDER

I request a permanent transfer of permit _____ which is held by _____
Permit Number Permit Holder's Name (please print)

_____, who resides at _____
Social Security Number Date of Birth Permanent Mailing Address

_____, and whose contact phone number is: _____
Check if unlisted

Are any charges pending against you for violations of commercial fishing statutes or regulations? YES NO

If yes, what court is hearing the case? _____

To the best of your knowledge, are there any outstanding liens on file against this permit? YES NO

If yes, indicate type of lien: IRS (Internal Revenue Service) CFAB (Comm'l Fishing & Agri. Bank)
 CSSD (Child Support Services Division) DCCED (State of Alaska, Div. of Investments)

PART II: TO BE COMPLETED BY THE PROPOSED TRANSFEREE

Name (please print) Social Security Number Date of Birth ADF&G Number

Permanent Mailing Address: Street or P.O. Box City State Zip Code

Telephone Check if unlisted

U.S. Citizen Alaska Resident Driver's License No. _____
 Alien (_____) Nonresident
Reg. Number

I certify that I am physically able to harvest fish in the fishery for which this permit is valid. YES NO
 I have reasonable access to the commercial fishing gear used in this fishery. YES NO

If you are not physically able to participate in the fishery, please attach an explanation of your intent acquiring this permit.

PART III: AFFIDAVIT (Both parties must read and sign under oath before a Notary Public (or Postmaster in Alaska))

I swear, under penalty of perjury, that the information provided by me on both sides of this form and in all supporting documents is true and completely describes the terms and conditions of this transfer; that this transfer is not requested as part of, nor in anticipation of, any retained right of repossession or foreclosure, lease, pledge, mortgage, agreement requiring a subsequent transfer, or other encumbrance involving this permit, except as part of a transfer financed in accordance with current law; that I am not prohibited by law or court order from being a party to this transfer. I understand that making a false claim on this form or submitting false documentation in support of this transfer request is a crime under AS 11.56.210 which is punishable by up to one year in prison and/or \$5,000 fine, and may subject me to administrative fines, suspension of fishing privileges and revocation of any entry permits I may hold.

I further understand that entry permits may be subject to federal tax liens and that the Internal Revenue Service (IRS) does NOT notify CFEC of such liens. I understand that a federal tax lien against a prior holder of an entry permit may still attach to the permit. I understand that this is the only notice the CFEC will provide regarding IRS liens, and that I may contact my lawyer, accountant or business advisor for further information. I understand I may also ask the IRS to search its records of federal tax liens by calling (206) 220-6015 in Seattle, or contacting the IRS office nearest the taxpayer's place of domicile. I understand that I am responsible for protecting myself against the existence of a federal tax lien.

Permit Holder _____ Signature _____ Transferee _____ Signature _____

Subscribed and sworn to before me this _____ day of _____, 20____ at _____, 20____, at _____

Notary Public (or Postmaster in Alaska) Notary Public (or Postmaster in Alaska)

Commission Expires _____ Commission Expires _____

REQUIRED PERMIT TRANSFER INFORMATION

The information requested on this survey is required for all transfers. All responses are considered confidential and not available for public inspection in any manner that would disclose personal information about you or circumstances of this permit transfer. The optional section (Part VI) is not part of the statement that must be sworn to and it will be protected by the Alaska Human Rights Law (AS 18.80.255). A copy of your bill of sale or sales contract, a full explanation of any terms or conditions relating to this transfer and the transfer fee must also be submitted.

PART IV: TO BE COMPLETED BY THE PROPOSED TRANSFEREE

HOW DID YOU LOCATE THIS PERMIT? (Circle your answer)

- | | | |
|--------------------------------|---------------------------------|--------------------------|
| 1. Relative or personal friend | 3. Commission's list of permits | 5. Fish processor |
| 2. Casual acquaintance | 4. Broker | 6. Advertisement |
| | | 7. Other (explain) _____ |

WHAT IS YOUR RELATIONSHIP TO THE PERMIT HOLDER (SELLER)? (Circle your answer)

- | | | |
|---------------------|-------------------------------|--------------------------|
| 1. None | 3. Personal friend | 5. Other relative |
| 2. Business partner | 4. Member of immediate family | 6. Other (explain) _____ |

HOW IS THE PERMIT BEING ACQUIRED? (Circle all that apply)

- | | | |
|--|----------|--------------------------|
| 1. Permit purchase only | 3. Gift | 5. Inheritance |
| 2. Combined purchase (with vessel, gear, site, etc.) | 4. Trade | 6. Other (explain) _____ |

WHAT IS THE AGREED UPON PURCHASE PRICE OR TRADE VALUE FOR EACH ITEM YOU WILL OBTAIN IN THIS TRANSFER?

- | | | |
|--------------------|------------------------|--|
| 1. Permit \$ _____ | 3. Other \$ _____ | |
| 2. Vessel \$ _____ | (explain) _____ | |
| 3. Gear \$ _____ | | |
| 4. Site \$ _____ | TOTAL PACKAGE \$ _____ | |

WHAT SOURCES OF FINANCING ARE BEING USED? (Circle all that apply)

1. Personal Resources (incl. cash) \$ _____
- If any person or entity is providing any money to help you pay for the permit, please provide:
- a) Name and Address: _____
- b) Amount of money they are providing \$ _____
- c) Any agreement you have with them _____

- | | |
|--|-----------------------------------|
| 2. AK DCCED (Division of Investments) \$ _____ | 6. Transferor (seller) \$ _____ |
| 3. Fish Processor \$ _____ | 7. Trade - list items and values |
| 4. AK Comm Fish & Agri Bank (CFAB) \$ _____ | a) _____ \$ _____ |
| 5. Bank or other lending institution \$ _____ | b) _____ \$ _____ |
| | c) _____ \$ _____ |
| | 8. Other (explain) _____ \$ _____ |

IF PERMIT IS BEING TRANSFERRED AS A GIFT, IS IT BEING TRANSFERRED WITH ANY TERMS OR CONDITIONS? YES NO

If YES, explain all terms _____

IS THERE AN AGREEMENT CONCERNING FUTURE TRANSFER(S) OF THE PERMIT? YES NO

If YES, explain _____

IS THERE AN AGREEMENT FOR YOU TO PAY THE TRANSFEROR A PORTION OF YOUR EARNINGS FROM FISHING THE PERMIT? YES NO

If YES, explain _____

PART V: TO BE COMPLETED BY THE CURRENT PERMIT HOLDER

ARE YOU (you and/or the transferee) USING THE SERVICES OF A BROKER TO TRANSFER THIS PERMIT? YES NO

If YES, which firm or person is acting as broker? _____

WHAT IS THE NET PRICE YOU WILL RECEIVE FROM SALE OF THE PERMIT? (After paying broker's fees) \$ _____

HOW MUCH ARE YOU/TRANSFEREE PAYING IN BROKER'S FEES FOR THE PERMIT SALE? \$ _____

HOW IS THE PURCHASE PRICE TO BE PAID TO YOU? 1. In full at time of transfer 2. In periodic payments over time

WHAT IS YOUR REASON FOR TRANSFERRING THE PERMIT? (Circle all that apply)

1. Retirement	3. Entering a different fishery	5. Fishing is no longer profitable
2. Health problem	4. To pursue a non-fishing occupation	6. Other (explain) _____

PART VI: THIS SECTION IS OPTIONAL, YOU ARE NOT REQUIRED TO COMPLETE IT.

WHAT IS YOUR ETHNIC ORIGIN? (circle one)

- | | | | | | | |
|------------------------|------------------|--------------|----------|----------|-------------|----------------|
| PERMIT HOLDER (SELLER) | 1. Alaska Native | 2. Caucasian | 3. Black | 4. Asian | 5. Hispanic | 6. Other _____ |
| TRANSFEREE (BUYER) | 1. Alaska Native | 2. Caucasian | 3. Black | 4. Asian | 5. Hispanic | 6. Other _____ |

Under AS 16.05.815 and AS 16.05.480, social security numbers and other information provided on this form may be used for fisheries research, management and licensing purposes and may be disclosed to: the Alaska Department of Fish and Game, the National Marine Fisheries Service, staff of the Pacific States Marine Fisheries Commission who are employed by the Alaska Fisheries Information Network project, the North Pacific Fisheries Management Council, child support enforcement agencies for child support purposes and other agencies or individuals as required by law or court order. Name, address, and licenses held are public information that may be released.

