



PERMANENT TRANSFER OF WATER ENTITLEMENT UNITS WITHIN WESTERN MURRAY IRRIGATION

The parties apply for the transfer of Water Entitlement Units specified in this application.

Unless the contrary intention appears, capitalised terms used but not defined in this application have the meanings given to them in the Water Entitlement Agreement and the Water Delivery Agreement and General Conditions.

Seller

Name _____

Address _____

Email _____ Phone _____

Account Number _____

Buyer

Name _____

Address _____

Email _____ Phone _____

Account Number *(if an existing WMI customer)* _____

Water Entitlements to be transferred

Number Water Entitlement Units _____

Price per ML \$ _____

Transfer of current season's water allocation

The allocation that has been announced up until the transfer date of the entitlements remains with the seller for the current season.

If this transaction is to include the water allocation, please complete details below (if the sale does not include allocation, please insert zero (0)).

Volume of water allocation to be transferred _____ ML

Settlement arrangement

The Seller agrees to the Agent/Broker noted below paying all WMI charges, including current, arrears, interest and/or legal fees associated with their WMI Shares, Water Entitlements and/or Delivery Entitlements at settlement; and

- If there are any new WMI water charge invoices raised (including Government charges) after settlement takes place, I/we will be responsible for payment; and
- I/we understand that payment of any outstanding invoices is a pre-requisite for WMI to proceed with processing the transfer.

The Seller also consents to WMI providing information regarding this transaction to the Agent/Broker noted below.

Agent/Broker

Name _____

Address _____

Email _____ Phone _____

We agree to pay to the Corporation at settlement, all charges, including current, arrears, interest and/or legal fees associated with this customer’s Shares and Entitlements.

Signature _____ Date _____

Capacity to sign _____

Signing by the Seller

Option A - If the Seller is an individual or multiple individuals:

Name Signature Date

Name Signature Date

Name Signature Date

Option B - *If the Seller is a company with two directors or a director and a company secretary *or*
*If the Seller is a company with a sole director and sole company secretary:

Executed by the Seller in accordance with section 127 of the Corporations Act 2001:

*Name of director *or* *Signature of director *or*

*Name of sole director and sole company secretary *Signature of sole director and sole company secretary

*Name of director/company secretary *Signature of director/company secretary

** Cross out those not applicable*

Date _____

Signing by the Buyer

Option A - If the Buyer is an individual or multiple individuals:

_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date
_____	_____	_____
Name	Signature	Date

Option B - *If the Buyer is a company with two directors or a director and a company secretary, or
 *If the Buyer is a company with a sole director and sole company secretary:

Executed by the Buyer in accordance with section 127 of the Corporations Act 2001:

_____	_____
*Name of director or Name of sole director and sole company secretary	*Signature of director or *Signature of sole director and sole company secretary
_____	_____
*Name of director/company secretary	*Signature of director/company secretary

** Cross out those not applicable*

Date _____

Accompanying materials

- 1 **Payment to WMI** of the application fee (specified in the Charges Schedule on WMI's website under the section 'Water Transfers')
- 2 **Payment to WMI** of all the Seller's outstanding debts and other amounts payable. If you need assistance calculating all outstanding debts and other amounts payable, please contact WMI.
- 3 **Water Entitlement Certificates** of the Seller and the Buyer (if an existing customer) in relation to the Water Entitlement Units (or Form 8, Application for Replacement Certificates, and the fee specified in the Charges Schedule on WMI's web site).
- 4 **Statutory Declaration** (see page 4 of 4) signed by the Seller, which must be attached to this form.
- 5 **Consent from Encumbrance Holder** (Form 7) if any person other than the Seller holds a legal or equitable interest in the Water Entitlement Units transferred.
- 6 **Transfer of Water Allocation** (see page 1) please ensure this section has been completed. Any application lodged without indicating the quantity of allocation to be transferred, will be rejected by WMI.

Guidance notes

The following notes are provided as a guide only and do not have any legal effect. These notes cannot be relied on in substitution for, and do not affect the interpretation of, the Constitution of WMI, the Water Entitlement Agreement, the Water Delivery Agreement, the General Conditions, the WMI Transfer Rules or any other contract or rules that bind WMI and its customers.

- 1 If Water Entitlement Units are held, or to be held, jointly by two or more persons, each person must be named as a party and each person must sign this application. The parties' details must be identical to the details on their respective Agreements with WMI.
- 2 The transaction is subject to the Seller paying to WMI all outstanding debts and other amounts payable.
- 3 Stock and Garden Water Entitlement Units cannot be transferred except together with the ownership of a corresponding Landholding including dwelling.
- 4 The transaction will take effect upon its entry into the Registers by WMI or such other date as WMI may specify.

Commonwealth of Australia
STATUTORY DECLARATION
Statutory Declaration Act 1959

Note:

If the applicant is an individual, the declarant must be the applicant.

If the applicant is multiple individuals, each individual must sign a separate statutory declaration.

If the applicant is a company, the declarant must be an authorised officer of the company.

I, _____
name of declarant
of _____,
address of declarant

WMI Account Number: _____ do solemnly and sincerely declare that the Seller in the Form 1-Permanent Transfer of Water Entitlements Form) to which this statutory declaration is attached has authority to **transfer _____ Water Entitlements** described in the form. The Seller has obtained written consent to the transfer from all persons who hold a legal or equitable interest in the Water Entitlement Units.

I make this declaration under the *Statutory Declarations Act 1959*. I understand that a person who intentionally makes a false statement in a statutory declaration is guilty of an offence under section 11 of the *Statutory Declarations Act 1959*, and I believe that the statements in this declaration are true in every particular.

Declared at _____ (*place*)

in the State of _____ on _____ (*date*)

Signature of declarant

in the presence of:

_____, _____
Name of authorised witness *Qualification of authorised witness*

Signature of authorised witness

Note

This statutory declaration must be attached to Form 1 “Permanent Transfer of Water Entitlement Units” to which it relates.

Statutory declarations under the *Statutory Declarations Act 1959* may be made before the persons listed on the following page.

A person who intentionally makes a false statement in a statutory declaration is guilty of an offence, the punishment for which is imprisonment for a term of 4 years – see Section 11 of the *Statutory Declarations Act 1959*.

Chapter 2 of the Criminal Code applies to all offences against the *Statutory Declarations Act 1959* – see section 5A of the *Statutory Declarations Act 1959*.

A statutory declaration under the Statutory Declarations Act 1959 may be made before:

(1) A person who is currently licenced or registered under a law to practise in one of the following occupations.

Chiropractor	Dentist	Legal Practitioner
Medical Practitioner	Nurse	Optometrist
Patent Attorney	Pharmacist	Physiotherapist
Psychologist	Trade marks attorney	Veterinary surgeon

(2) A person who is enrolled on the role of the Supreme Court of a State or Territory, or the High Court of Australia, as a legal practitioner (however described); or

(3) A person who is in the following list:

Agent of the Australian Postal Corporation who is in charge of an office supplying postal services to the public
 Australian Consular Officer or Australian Diplomatic Officer (within the meaning of the *Consular Fees Act 1955*)
 Bailiff

Bank Officer with 5 or more continuous years of service

Chief Executive Officer of a Commonwealth court

Clerk of a court

Commissioner for Affidavits

Credit Union Officer with 5 or more years of continuous years of service

Employee of the Australian Trade Commission who is:

- a) In a country or place outside Australia; and
- b) Authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- c) Exercising his or her function in that place

Employee of the Commonwealth who is:

- a) In a country or place outside Australia; and
- b) Authorised under paragraph 3 (d) of the *Consular Fees Act 1955*; and
- c) Exercising his or her function in that place

Fellow of the National Tax Accountants' Association

Finance Company Officer with 5 or more years of continuous service

Holder of a statutory office not specified in another item in this list

Judge of a court

Justice of the Peace Magistrate

Marriage Celebrant registered under Subdivision C of Division 1 of Part IV of the *Marriage Act 1961*

Master of a court

Member of Chartered Secretaries Australia

Member of Engineers Australia, other than at the grade of student

Member of the Association of Taxation and Management Accountants

Member of the Australasian Institute of Mining and Metallurgy

Member of the Australian Defence Force who is:

- a) An officer; or
- b) A non-commissioned officer within the meaning of the *Defence Force Discipline Act 1982* with 5 or more years of continuous service; or
- c) A warrant officer within the meaning of that Act

Member of the Institute of Chartered Accountants in Australia, the Australian Society of Certified Practising Accountants or the National Institute of Accountants

Member of:

- a) The Parliament of the Commonwealth; or
- b) The Parliament of a State; or
- c) A Territory legislature; or
- d) A local government authority of a State or territory

Minister of religion registered under Subdivision A of Division 1 of Part IV of the *Marriage Act 1961*

Notary Public

Permanent employee of the Australian Postal Corporation with 5 or more years of continuous service who is employed in an office supplying postal services to the public

Permanent employee of:

- a) The Commonwealth or a Commonwealth authority; or
- b) A State or Territory or a State or Territory authority; or
- c) A local government authority;

With 5 or more years of continuous service who is not specified in another item in this list

Person before whom a statutory declaration may be made under the law of the State or Territory in which the declaration is made

Police Officer

Registrar, or Deputy Registrar, of a court

Senior Executive Service employee of:

- a) The Commonwealth or a Commonwealth authority; or
- b) A State or Territory or a State or Territory authority

Sheriff

Sheriff's Officer

Teacher employed on a full-time basis at a school or tertiary education institution