



# WESTERN MURRAY IRRIGATION LIMITED

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## TRANSFER OF SHARES

The Applicant irrevocably applies for the Transfer of the Shares 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 Constitution of WMI.

### *Applicant*

Full name(s): \_\_\_\_\_

Postal address: \_\_\_\_\_

State: \_\_\_\_\_ Postcode: \_\_\_\_\_ Phone number: \_\_\_\_\_

Account number: \_\_\_\_\_ Irrigation Area: Buronga / Coomealla / Curlwaa  
(circle one)

### *Shares to be transferred*

No. of "A" Class Shares (Curlwaa irrigation area): \_\_\_\_\_

No. of "B" Class Shares (Buronga irrigation area): \_\_\_\_\_

No. of "C" Class Shares (Coomealla irrigation area): \_\_\_\_\_

### *Shares to be transferred to*

Account number: \_\_\_\_\_ Irrigation Area: Buronga / Coomealla / Curlwaa  
(circle one)

Name/s \_\_\_\_\_

Postal address: \_\_\_\_\_

**Signing by the Applicant**

**Option A** – If the Applicant is an individual or multiple individuals:

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

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

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

_____	_____
*Name of director <i>or</i>	*Signature of director <i>or</i>
*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
_____	
Date	* <i>Cross out those not applicable</i>

**Signing by the Transferee**

**Option A** - If the Transferee 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 <i>or</i>	*Signature of director <i>or</i>
*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
_____	
Date	* <i>Cross out those not applicable</i>

**Statutory Declaration**

**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*

account holder, of Account Number: \_\_\_\_\_ in \_\_\_\_\_ irrigation district, do solemnly and sincerely declare that the Seller in the Form 2 “Transfer of Shares” (**form**) to which this statutory declaration is attached has authority to **transfer** \_\_\_\_\_ **Shares** described in the form, and the Seller has obtained written consent to the transfer from all persons who hold a legal or equitable interest in the shares and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900*.

Declared at \_\_\_\_\_ (place)

in the State of New South Wales on \_\_\_\_\_ (date)

\_\_\_\_\_  
 Signature of declarant

in the presence of a witness, who states:

I, \_\_\_\_\_, a \_\_\_\_\_  
*Name of authorised witness* *qualification of authorised witness*

certify the following matters concerning the making of this statutory declaration by the person who made it: (*\*please cross out any text that does not apply*)

1. \*I saw the face of the person *OR* \*I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering, and
2. \*I have known the person for at least 12 months *OR* \*I have confirmed the person’s identity using an identification document and the document I relied on was \_\_\_\_\_  
*describe identification document relied on*

\_\_\_\_\_  
 Signature of authorised witness

**Note:**

This statutory declaration must be attached to the Form 2 “Transfer of Shares” to which it relates.

\_\_\_\_\_  
 Statutory declarations for use in New South Wales may be made before the following persons:

***Accompanying materials***

- 1 **Payment to WMI** of the application fee (Transfer of Shares, as specified in the Charges Schedule on WMI’s web site).
- 2 **Payment to WMI** of all of the Applicant’s outstanding debts and other amounts payable. If you need assistance calculating all outstanding debts and other amounts payable, please contact WMI.
- 3 **Certificate** of the Applicant and also the Transferee (if an existing customer) in relation to the Shares (or Form 8, Application for Replacement Certificates, and the fee specified in the Charges Schedule on WMI’s web site).
- 4 **Consent from Encumbrance Holder** (Form 7) if any person other than the Applicant holds a legal or equitable interest in the Shares being forfeited.

***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 Shares are held jointly by two or more persons, each person must be named as a party and each person must sign this application. The Applicant’s details must be identical to the details in WMI’s register of members.
- 2 Transfer of Shares requires the approval of the Board.<sup>1</sup>
- 3 The transaction is subject to the Applicant paying to WMI all outstanding debts and other amounts payable.<sup>2</sup>
- 4 If either:
  - (1) A member does not, or no longer holds, any Delivery Entitlements; or
  - (2) A member:
    - (a) Is not, or is no longer, a Landholder in respect of a Corresponding Landholding; or
    - (b) Does not hold, or no longer holds, at least one Delivery Entitlement with a Point of Supply associated with the Corresponding Landholding;
 then the Board may notify the person concerned that they must make an irrevocable written application for the forfeiture of Shares.<sup>3</sup>
- 5 The transaction will take effect upon its entry into the Registers by WMI or such other date as WMI may specify.<sup>4</sup>

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<sup>1</sup> Clause 5.3.2 of the WMI Transfer Rules.

<sup>2</sup> Clause 7.2.1 of the Water Entitlement Agreement and clause 8.1 of the WMI Transfer Rules.

<sup>3</sup> Clauses 101.1 of the Constitution of WMI.

<sup>4</sup> Clause 9.2 of the WMI Transfer Rules.