



## MOVEMENT OF SHARES APPLICATION TO TRANSFER or FORFEIT SHARES

The Applicant irrevocably applies for

- i) \* Forfeiture of the Shares specified in this application, **OR**
- ii) \* Transfer of the Shares specified in this application,

*\*please cross out that which is not applicable*

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

Name \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

Account Number \_\_\_\_\_

Irrigation Area *(circle one)*                      Buronga / Coomealla / Curlwaa

### Shares to be moved

Number of 'A' Class Shares (Curlwaa irrigation area) \_\_\_\_\_ .or

Number of 'B' Class Shares (Buronga irrigation area) \_\_\_\_\_ .or

Number of 'C' Class Shares (Coomealla irrigation area) \_\_\_\_\_

**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 \_\_\_\_\_

**i) Forfeiture of Shares**

The Shares specified in this application are to be forfeited to Western Murray Irrigation Limited.

**OR**

**ii) Transfer of Shares**

The Shares specified in this application are to be transferred to:

Name \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

Account Number \_\_\_\_\_

Irrigation Area (circle one) Buronga / Coomealla / Curlwaa

## Signing by the Applicant

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

|               |                    |               |
|---------------|--------------------|---------------|
| _____<br>Name | _____<br>Signature | _____<br>Date |
| _____<br>Name | _____<br>Signature | _____<br>Date |
| _____<br>Name | _____<br>Signature | _____<br>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 the Corporations Act 2001:

|  |  |
|--|--|
| _____<br>*Name of director <i>or</i>                       | _____<br>*Signature of director <i>or</i>  |
| _____<br>*Name of sole director and sole company secretary | _____<br>*Signature of sole director and sole company secretary                              |
| _____<br>*(Name of director/company secretary              | _____<br>*Signature of director/company secretary<br><i>* Cross out those not applicable</i> |
| _____<br>Date  |  |

## Signing by the Transferee

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

|               |                    |               |
|---------------|--------------------|---------------|
| _____<br>Name | _____<br>Signature | _____<br>Date |
| _____<br>Name | _____<br>Signature | _____<br>Date |
| _____<br>Name | _____<br>Signature | _____<br>Date |

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

|  |   |
|--|---|
| _____<br>*Name of director <i>or</i>                       | _____<br>*Signature of director <i>or</i>   |
| _____<br>*Name of sole director and sole company secretary | _____<br>*Signature of sole director and sole company secretary                             |
| _____<br>*Name of director/company secretary               | _____<br>*Signature of director/company secretary<br><i>*Cross out those not applicable</i> |
| _____<br>Date  |   |



## Accompanying Materials

- 1 **Payment to WMI** of the application fee (Transfer of Shares, as specified in the Charges Schedule on WMI's website).
- 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 **Share 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>

<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.

**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 roll 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