

## Application: Notice of Death of a Joint Customer

**Form 5**

Use this form to apply for the change of ownership specified in this application.

### NOTES

- Please print neatly in BLOCK LETTERS with a black or blue pen. Mark  or  in the appropriate boxes.
- The triangle on the top left side of a response field indicates this is mandatory information we need to process this application.
- Unless contrary intention appears, capitalised terms used but not defined in this application have the meanings given to them in the *Water Entitlements Contract*.
- If the *Water Entitlements, Rights of Access and/or Shares certificate/s* applied to be replaced, are held jointly by two or more surviving persons, each person must be named as an applicant and each person must sign this application. The applicant's details must be identical to the details on the *Water Entitlements Contract, Water Delivery Contract and/or Share Certificate* in respect of the certificate/s being replaced.
- Electronic signatures are not accepted. Please print and sign this form.
- Murrumbidgee Irrigation recognises the importance of protecting the privacy of personal information it collects. Your personal information is collected and managed in accordance with the Australian Privacy Principles. Privacy and data collection information related to the application is provided overleaf.

### APPLICATION CHECKLIST

Have you provided the following documentation required for processing this application?

- Original Member Contract Schedule or Share Certificate**
- Water Entitlements Certificate returned**
- Rights of Access Certificate returned**
- Statutory Declaration** correctly completed and signed. (Included in this application).
- Certified copy of Probate, letter of administration or Death Certificate**
- A current title search of the landholding** showing applicant(s) as the new owners.
- Written approval** of this application from all persons who hold a legal or equitable interest in the water entitlements, rights of access and shares to be replaced.
- Application fee**, please refer to the Charges Rules and the Schedule of Charges on our website [www.mirrigation.com.au/Customers](http://www.mirrigation.com.au/Customers).

## PRIVACY AND DATA COLLECTION INFORMATION

**PRIVACY STATEMENT** Your personal information is protected by law. A copy of Murrumbidgee Irrigation's (MI) Privacy Statement, describing how MI manages personal information, can be obtained free of charge from its offices in Hanwood or Leeton, or downloaded at [www.mirrigration.com.au](http://www.mirrigration.com.au). MI's Privacy Statement also sets out the laws under which MI is required to collect personal information.

**DATA COLLECTION** MI collects this personal information about you for the purposes of:

- To communicate with the individual;
- To provide the individual with information about, or relating to, its services or products, and associated policy, regulation, developments, news and initiatives;
- To provide the individual with access to protected areas of its website;
- To process applications including licence applications, subdivision applications and on-farm works applications;
- To provide services and products and send requested communications;
- For internal administration, management, and quality control, including but not limited to maintenance of landholding, property and infrastructure records;
- To conduct transactions and manage its contracts with the individual;
- To determine water supply requirements and develop options for and conduct infrastructure works;
- For billing, account management and payment processing, including conducting credit checks and assessing financing requirements;
- To monitor, account for and reconcile water use, water allocations and balances;
- To conduct research and development of its services and products, and expand the quality and range of its offerings;
- To conduct and participate in policy research and development;
- To market its services and products and communicate new developments or offerings MI believes may be of interest;
- To audit and monitor licence compliance and contract compliance;
- To conduct and process tenders and employment applications;
- To compile and maintain its register of members and shareholdings and registers of water entitlements and rights of access;
- To meet its statutory and licensing record-keeping, reporting and registration requirements;
- To undertake landholding assessments and investigations;
- To offer and conduct education and training courses;
- To comply with legal requirements;

- To search Land & Property Information and Personal Properties Security Registers for third party interests; and
- Any other purpose made known to individuals at the time of collection of their personal information.

MI will also collect personal information about you from title searches and Personal Property Securities Register (PPSR) searches.

**DISCLOSURE** MI may disclose this information to:

- To its agents, contractors or third party service providers for the purposes of provision of administrative, computer/software hosting and management, order fulfilment, infrastructure/works, consultancy, billing, financing, credit reporting, printing, mailout or other services and products in connection with the operation of its business. Any such third parties are under duties to MI to use such data only for the purpose for which it is provided and to keep such data confidential;
- To meet its statutory and licensing reporting and registration requirements, including disclosure to the Australian Competition and Consumer Commission, the Bureau of Meteorology, the NSW Minister responsible for administration of the *Water Management Act 2000* (NSW), the NSW Environment Protection Authority, and the NSW Government, as described in this Statement above; as required under funding and other contractual arrangements with the Commonwealth and NSW Government or governmental agencies; or in co-operation with Commonwealth and NSW governmental or quasi-governmental departments, entities and authorities;
- To law enforcement agencies or relevant third parties, if it suspects that unlawful activity has been, is being, or may be, engaged in, and disclosure is a necessary part of its investigations; and
- Where required or authorised under law.

**ACCESS, CORRECTION AND COMPLAINTS** MI's Privacy Statement contains information about how you can access your personal information, seek correction of your personal information, complain about a possible breach of the Australian Privacy Principles, and how MI will deal with any complaints.

**OVERSEAS DISCLOSURE OF PERSONAL INFORMATION** MI stores some personal information overseas in electronic form using cloud-based services. These overseas countries include the United States of America, Brazil, Holland, Singapore, Hong Kong and Japan.

**CONSENT TO DATA COLLECTION AND PRIVACY NOTIFICATION** By signing the application form associated with this Privacy and Data Collection Notification, you acknowledge that you have read this Notification and consent to the use and disclosure of your personal information as set out in this Notification.

## Application: Notice of Death of a Joint Customer

Form 5

The applicant hereby applies for a change of ownership specified in this application.

### 1. Applicant's details

Full name\*

\* If more than one person, please list other names on Page 4.

Company name

ABN No.

Date of birth  Email

Postal address  Phone

Mobile

Fax

### 2. Notice of death details

Full name of deceased partner

Date of death  Probate/Death Certificate Number

### 3. Change of ownership

Please register to the Applicant(s) the deceased's interests in the following:

Water Entitlements

Shares

Delivery Entitlements for Landholding reference number (WAA)

### Additional information:

## 4. Signing by the applicant(s)

**Option A:** If the applicant is an individual or multiple individuals.

Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>

**Option B:** If the applicant is representing a company, this application is executed in accordance with section 127 of the *Corporations Act 2001*.

Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Position: <input type="checkbox"/> Director <input type="checkbox"/> Sole Director <input type="checkbox"/> Company Secretary <input type="checkbox"/> Sole Company Secretary			
Name	<input type="text"/>		
Signature & Date	<input type="text"/>	Date:	<input type="text" value="DD/MM/YYYY"/>
Position: <input type="checkbox"/> Director <input type="checkbox"/> Sole Director <input type="checkbox"/> Company Secretary <input type="checkbox"/> Sole Company Secretary			

## Additional Information

# Statutory Declaration

OATHS ACT 1900, NSW, EIGHTH SCHEDULE

(Please complete one Statutory Declaration per person.)

I  (Full name of declarant)<sup>1</sup>

of  (Residential address)


do solemnly and sincerely declare that the applicant in the Form 5 "Application: Notice of Death of a Joint Customer and/or Member" (application) which accompanies this statutory declaration has authority to transfer ownership described in the application, and affirm that:

1. The deceased died on the  day of  20 ; and

2. The deceased is identical to the deceased named in the application; and

3. The deceased is identical to the deceased named in the Probate/Certified Copy of Death Certificate Number

and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900*.

Signature of applicant 

Declared at  (place) in the State of New South Wales on  (Date: day, month, year)

in the presence of:  (name of authorised witness)

(qualification of authorised witness)<sup>2</sup>

who certifies: (#Please cross out any text that does not apply)

**1#**  I saw the face of the declarant; **OR**  
 I did not see the face of the declarant because the declarant was wearing a face covering, but I am satisfied that the declarant had a special justification for not removing it; **and**

**2#**  I have known the declarant for at least 12 months; **OR**  
 I have confirmed the declarant's identity by witnessing an approved identification document, or a certified copy of an approved identification document<sup>3</sup>, that document being:

.....  
(describe identification document relied on)

<sup>1</sup> 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.

<sup>2</sup> Statutory declarations for use in NSW may be made before the following persons:  
(i) a justice of the peace;  
(ii) a legal practitioner holding a current practising certificate; or  
(iii) a notary public.

<sup>3</sup> Identification documents are outlined in Ruling 003 issued by the NSW Attorney General & Justice Department. A copy of this ruling is available on MI's website.

Signature of authorised witness 

Date

# Application for Cancellation of Corresponding Shares

Complete this document only if Shares are to be cancelled.

If corresponding shares are Class C, they must be cancelled in accordance with the Transfer and Conversion Rules.

Murrumbidgee Irrigation Limited. ACN 084 943 037 (**Company**)

## Deed poll

Made by the person identified in Item 1 of Schedule 1 (**Applicant**)

**In favour of** the person appointed to perform the duties of secretary of the Company and any person appointed to act temporarily as secretary (**Secretary**)

### The Applicant declares:

1. In this deed poll a reference to a clause, an item or a schedule is to a paragraph, item or schedule of this deed poll.
2. The Applicant applies for, and authorises, the cancellation of the shares in the Company identified in Item 2 of Schedule 1 (Corresponding Shares), for no consideration pursuant to a selective share capital reduction in accordance with Division 1 of Part 2J.1 of the *Corporations Act 2001* (Cth).
3. The Applicant irrevocably appoints the Secretary, or, if several persons are each a Secretary, each of those persons severally, to be the Applicant's attorney until the Corresponding Shares are cancelled.
4. The Secretary may do in the name of the Applicant and on the Applicant's behalf everything necessary or expedient, in the Secretary's sole discretion, to cancel the Corresponding Shares including the following:
  - a. exercise any rights attaching to the Corresponding Shares, including rights to appoint a proxy or representative, rights to attend and speak at meetings of members and agree to them being called on short notice, and voting rights;
  - b. exercise any powers the Applicant has in the Applicant's capacity as the registered holder of the Corresponding Shares; and
  - c. do any other act or thing in respect of the Corresponding Shares or the Company.
5. The Secretary may:
  - a. appoint or remove any substitute, delegate or sub attorney at any time; and
  - b. exercise his or her powers under this deed poll:
    - i. in his or her own name or in the name of the Applicant; and
    - ii. even if he, she or the Company benefits from the exercise of the power.
6. All acts and things done by the Secretary and his or her substitutes, delegates and sub-attorneys in exercising powers under this deed poll will be as good and valid as if they had been done by the Applicant and agrees to ratify and confirm whatever the Secretary and his or her substitutes, delegates and sub-attorneys do in exercising their powers under this deed poll.
7. The appointment under this deed poll is exclusive and the Secretary has authority to represent the Applicant in respect of the Corresponding Shares to the exclusion of the Applicant. The Applicant is not permitted to interfere with the Secretary's exercise of his or her rights as attorney (whether by casting a vote, attending meetings or otherwise).
8. The powers granted to the Secretary under this deed poll are given for valuable consideration and are irrevocable until the Corresponding Shares are cancelled.

## Schedule 1

### Item 1: Applicant:

Full name(s)

ABN No.

Address(es)

Landholding reference number (WAA)

### Item 2: Number of Corresponding Shares

A Class Shares

B Class Shares

C Class Shares

**Executed as a deed poll and delivered on the following date:**

**Option A:** If the applicant is an individual or multiple individuals.  
Names and signature of applicant(s)

Name(s) (BLOCK LETTERS)	Signature(s)	Date:

**Option B:** If the applicant is representing a company, this application is executed in accordance with section 127 of the Corporations Act 2001.

Name

Signature  Date  Position:  Director  Company Secretary  Sole Director  Sole Company Secretary

Name

Signature  Date  Position:  Director  Company Secretary  Sole Director  Sole Company Secretary

**Signed sealed and delivered by the Applicant(s), in the presence of:**

Name of witness

Signature of witness  Date

Address of witness