

# Application to Cancel a Water Share

## (Form 8)

Application Number:

WSC 1 5 5 6 2 1

Application for Minister's approval to surrender a water share (under section 33AA of the Water Act 1989), cancel a water share (under section 33ABA of the Water Act 1989), or to vary a water share (under section 33R of the Water Act 1989).

### WATER SHARE DETAILS

1. Do you wish to: (Please tick)

- Surrender a water share
- Cancel a water share in conjunction with the issue of a licence in an unregulated system
- Cancel a water share in one trading zone and/or water system in conjunction with the issue of a water share in another trading zone or system.

2. Water share identification no. to be cancelled or surrendered:

W	E	E							
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3. Volume of water share being cancelled or surrendered (in ML).

 ML

4. Please write in full (using capital letters) the volume to be cancelled:

### NAME(S) AND SIGNATURE(S) OF WATER SHARE OWNER(S)

5. Please print name in full and in capital letters and sign. All owners of the relevant water share must sign. If there are more than four owners or if an owner is a company please ensure that Annexure 3 is also completed. All notices will be sent to the person/company listed first in the water register.

	GIVEN NAME(S)	SURNAME/COMPANY	SIGNATURE
i.	<input type="text"/>	<input type="text"/>	<input type="text"/>
ii.	<input type="text"/>	<input type="text"/>	<input type="text"/>
iii.	<input type="text"/>	<input type="text"/>	<input type="text"/>
iv.	<input type="text"/>	<input type="text"/>	<input type="text"/>

Dated:  DD  MM  YY

### LODGING PARTY (IF APPLICABLE):

The lodging party may be a water broker or solicitor coordinating the application.

6. Print name(s) in full and in capital names.

GIVEN NAME(S)	SURNAME/COMPANY
<input type="text"/>	<input type="text"/>

Postal address:

Phone number  Lodging Party ID:  P  T  Y

OFFICE USE ONLY:

7 August 2009

## EXPLANATORY NOTES: APPLICATION FOR THE CANCELLATION OF A WATER SHARE

### General

1. This form may be used to surrender a water share, or to facilitate an entitlement transfer by cancellation of one entitlement and issue of another.
2. If you are applying to cancel a water share in order to convert it to a licence in an unregulated system, this application should be accompanied by a separate application for issue of the licence.
3. If you are applying to cancel a water share in order to convert it to a water share with different attributes, this application should be accompanied by a separate application for issue of another water share.
4. Any transfers of entitlement facilitated by cancel and issue may be subject to exchange rates. In some cases exchange rate trade may be limited by the volume of trade which has previously occurred in the opposite direction. Refer to the trading rules for more details.
5. Please note that applications to vary a water share under Section 33R are administered by cancellation of one water share and issue of another and should use this form. Applications to vary other properties of a water share should use Form 9.

### Lodgement

6. Please enter at Question 2 the water share identification number of the water share you wish to have cancelled. This number can be found on the water share copy of record. You may apply to your Water Corporation for a water share copy of record, or go to: [www.waterregister.vic.gov.au/Public](http://www.waterregister.vic.gov.au/Public)

#### Goulburn-Murray Water

40 Casey Street

PO Box 165, TATURA 3616

T: (03) 5833 5500 F: (03) 5824 5355

#### Lower Murray Water

741-759 Fourteenth Street

PO Box 1438, MILDURA 3502

T: (03) 5051 3400 F:(03) 5051 3480

#### Southern Rural Water

88 Johnston Street

PO Box 153, MAFFRA 3860

T: (03) 5139 3100 F:(03) 5139 3150

7. You must complete the Application to Cancel a Water Share form and lodge the completed form, including payment of the application fee with the Water Corporation over the counter or via mail. If you are also submitting a related application for the Issue of a Water Share only one fee will need to be paid.
8. The Water Corporation will not accept:
  - Photocopied forms as the application number on the top righthand corner must be unique.
  - Faxed or emailed forms as original signatures are required.
9. The Water Corporation also requires proof of the identification of all water share owners. This requires each owner to present identity check documentation to the Water Corporation as specified in the document "100 Point Check: Proving Your Identity" which is available from the Water Corporation.
10. The Application to Cancel a Water Share form and a schedule of application fees are available from the Water Corporation or at [www.waterregister.vic.gov.au/Public/ApplicationForms.aspx](http://www.waterregister.vic.gov.au/Public/ApplicationForms.aspx).
11. Please provide the name, address and contact telephone number of your lodging party if applicable. A lodging party may be a water broker or solicitor who is coordinating the application.

### Signatures

12. Only water share owner(s) or legal personal representatives can apply to cancel a water share. All owners must sign this application. All notices and invoices will be sent to the person listed first in the water register.
13. If a water share owner is a company, Annexure 3 must be completed. Signature(s) are required in accordance with an ASIC company extract not more than 12 months old which must be attached to the application.

### Approval of the Application

14. If the application is approved by the Water Corporation, the Water Corporation will record the cancellation of the water share in the water register.
15. The Water Corporation will send a letter to the water share owner listed first in the water register advising that the cancellation has been approved and recorded in the water register. A copy of the letter will be forwarded to the lodging party if a lodging party coordinated the application.

### Refusal of the Application

16. If the Water Corporation refuses the application, the Water Corporation will send a letter to the water share owner first named in the water register stating the reasons for the refusal. A copy of the letter will be sent to the lodging party if a lodging party coordinated the application.
17. The Water Corporation may refuse the application if:
  - i. there are outstanding charges on the water share;
  - ii. there is a recorded mortgage or limited terms transfer over the water share being cancelled.
18. After refusal, if the water share owner(s) wish to attempt the cancellation again a new application to Cancel a Water Share would need to be relodged with an application fee.

### More information required

19. If the Water Corporation requires more information a letter will be sent to the to the first water share owner listed in the water register making clear the missing information and/or incorrect information that requires correction. A copy of the letter will be forwarded to the water broker if a water broker coordinated the trade.
20. Applicants must provide missing information or correct information within two calendar months or the application to Cancel a Water Share will lapse. In that case a new application would need to be lodged with another application fee.

**Note: A reference in these notes to actions to be undertaken by the Water Corporation may mean the Water Corporation is acting as delegate of the Minister under section 306 of the Water Act 1989.**

### Disclaimer

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

# Annexure 3

Water Act 1989

Application Number: <b>WSC 1 5 5 6 2 1</b>
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Dated:

## NAME(S) AND SIGNATURE(S) OF WATER SHARE OWNER(S) IF MORE THAN FOUR (4)

	GIVEN NAME	SURNAME	SIGNATURE
v.	<input type="text"/>	<input type="text"/>	<input type="text"/>
vi.	<input type="text"/>	<input type="text"/>	<input type="text"/>
vii.	<input type="text"/>	<input type="text"/>	<input type="text"/>
viii.	<input type="text"/>	<input type="text"/>	<input type="text"/>

Dated:

## NAME(S) AND SIGNATURE(S) OF COMPANY IF COMPANY IS APPLICANT

Please ensure you attach an ASIC company extract that is not more than 12 months old. Signatures must be in accordance with the company extract.

All notices and invoices will be sent to the company listed first in the water register.

1. **Name of Company:**  ABN

Postal address:

Dated:

GIVEN NAME (S)	SURNAME	SIGNATURE	POSITION
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

2. **Name of Company:**  ABN

Postal address:

Dated:

GIVEN NAME (S)	SURNAME	SIGNATURE	POSITION
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please detach and retain the slip below



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## ENQUIRIES

Please retain this slip as a copy of your application number for your reference.

For enquiries regarding the progress of your application please contact your Water Corporation or lodging party and quote your application number.