



Water Partners (Aust) Ltd

260 Allan Street, Kyabram VIC 3620 

PO Box 274, Kyabram VIC 3619 

(03) 5853 2333 

admin@waterpartners.org.au 

www.waterpartners.org.au 

MEMBER AUTHORISATION FORM

Under new Federal Government legislation, Water Partners (Aust) Ltd must receive a written authority from **each** person listed as an owner, or **each** authorised agent, of the water entitlement to be traded.

To gain this authorisation, water entitlements that may be traded in any way, including allocation, should be listed in the following form. We also require each owner of the water entitlement, or each authorised agent, to include their details and signature. This will grant Water Partners (Aust) Ltd authority for a maximum of 3 years, unless you nominate an end date in the section below.

This authorisation form will enable Water Partners (Aust) Ltd to act as your agent and lodge completed trades. For more information see [Water market reform - DCCEEW](#)

New requirements for authorised agents

All authorised agents are now required to supply a copy of their Form 39A, which can be accessed from Goulburn Murray Water. This is a new requirement under Federal Government legislation.

New members

Completion of this Member Authorisation Form entitles the signatories to trade through the Water Partners (Aust) Ltd trading platforms and website* as a Member of Water Partners (Aust) Ltd. Membership also entitles a vote in Board Elections and also allows voting on any matter referred to members by the Board of Directors. As a member, you agree to abide by the terms and conditions of Water Partners (Aust) Ltd. Membership is free and open to all however, all members must be approved by the Board under the rules of the Constitution.

Protecting your privacy

Water Partners (Aust) Ltd protects your privacy by collecting and handling your personal information in accordance with the requirements of the Privacy and Data Protection Act 2014 (Vic). Personal information collected on this form will be used for the purpose of processing your membership and to meet the new legislative requirements. It will be disclosed to relevant staff in regard to the purpose for which it was provided. Failure to provide accurate or complete information may result in processing delays. You are able to request access to your personal information by applying under the Freedom of Information Act 1982. For further information regarding Water Partners (Aust) Ltd privacy policy please refer to our website www.waterpartners.org.au.

More information

For more information, see our Frequently Asked Questions (FAQs) or contact the Water Partners team on (03) 5853 2333.

You must be an owner or an authorised agent of a water entitlement to complete this section.

Member Details

Trading Name/Company Name:

ABN:

Would you like to receive marketing information?
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Industry type (can list more than one):

Person 1

Surname:	Given Names:
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Address:

Postal address:

Phone:	Mobile:
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Primary email:

Administration email:

I am an owner of the water entitlements listed below.

I am an authorised agent of the water entitlements listed below and have forwarded a copy of the required Form 39A to Water Partners (Aust) Ltd.

Person 2

Surname:	Given Names:
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Address:

Postal address:

Phone:	Mobile:
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Email:

Administration email:

I am an owner of the water entitlements listed below.

I am an authorised agent of the water entitlements listed below and have forwarded a copy of the required Form 39A to Water Partners (Aust) Ltd.

Person 3

Surname:	Given Names:
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Address:

Postal address:

Phone:	Mobile:
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Email:

Administration email:

I am an owner of the water entitlements listed below.

I am an authorised agent of the water entitlements listed below and have forwarded a copy of the required Form 39A to Water Partners (Aust) Ltd.

Person 4

Surname:	Given Names:
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Address:

Postal address:

Phone:	Mobile:
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Email:

Administration email:

I am an owner of the water entitlements listed below.

I am an authorised agent of the water entitlements listed below and have forwarded a copy of the required Form 39A to Water Partners (Aust) Ltd.

Entitlement Details [list the entitlement numbers you wish to use for trading]	
ABA	Zone
ABA	Zone
ABA	Zone
ABA	Zone
ABA	Zone
ABA	Zone
ABA	Zone
ABA	Zone
WEE	WEE
WEE	WEE
DSE	BEE

I/we the undersigned AUTHORISE Water Partners (Aust) Ltd to make an application/s to apply to a water market authority to approve, allow or register the trade or transfer of an eligible tradewater water right in the course of providing water markets intermediary services.

I/we the undersigned AUTHORISE Water Partners (Aust) Ltd to act as an agent in the course of providing intermediary services. Water Partners will confirm details of each individual trade offer over the course of this agreement with the owner or authorised agents before providing a water markets intermediary service in exchange for a commission or fee.

This authority is valid for up to three years (from the date of this authorisation) unless the end date or number of trades is specified below:

Nominated end date: ____/____/____ **or** Ends after _____ (number) of trades.
Approval can also be rescinded at any time by contacting Water Partners in writing.

Signature (**Person 1**)

Signature (**Person 2**)

Printed Full Name (**Person 1**)

Printed Full Name (**Person 2**)

Date _____

Date _____

Signature (**Person 3**)

Signature (**Person 4**)

Printed Full Name (**Person 3**)

Printed Full Name (**Person 4**)

Date _____

Date _____

If signing as a Company Director and/or Company Secretary, this form must be accompanied by a current ASIC Company Extract that is no more than 12 months old. Water Partners can download this for you. The cost is in our schedule of fees attached to this document.

This form may be lodged in person at **260 Allan Street Kyabram**, by mail to **PO Box 274 Kyabram 3619**, or by email to **admin@waterpartners.org.au**

*Traders must register and provide required documentation to trade through the Water Partners Traderooms. For further assistance please contact 03 5853 2333.

The following pages contain our brokerage and fees, our services and obligations to you, our complaints handling policy and our process for Intervalley Trade Opening Transfers. Please confirm you have have read the following pages before submitting this form.

Water Partners (Aust) Ltd Constitutional Objectives

As a member-owned organisation, Water Partners (Aust) Ltd exists to provide its members trading services, education, tools and the platforms to enable trade. Water Partners is governed by a constitution driven by fair and transparent trading as shown in the extract from the Constitution below.

Objectives

The primary activities and objectives of the Company are to promote the development of agricultural resources, horticultural resources, pastoral resources, viticultural resources and manufacturing resources, specifically, the facilitation of access to the economic, efficient and affordable use of water to those within the agricultural industry.

Specific primary and dominant activities and objectives are:

- To identify and promote advancements in water use and water efficiencies for the betterment of irrigation communities;
- To provide education to all irrigation industry participants including, but not limited to:
 - Trading rules and regulations;
 - Water portfolio management;
 - How to make efficient use of available market mechanisms;
 - Improve the efficient use of water;
 - The continued engagement with Government and peak industry bodies.
- To actively promote the services that the company provides, including its educational services and industry promotional activities.
- To investigate and support research and development in regards to efficiencies of water use, transfer and affordability, in relation to the irrigation industry by co-operatively participating with and engaging third party service providers including tertiary institutions, peak industry bodies and government departments.
- To establish a water trading model, including the trade of temporary and permanent entitlements, which will provide market access to the irrigation community, including smaller and niche businesses, which are important to the vitality of rural communities.

These services will:

- Support a fair and open water trading environment
- Conduct water trades in an open and transparent manner
- Provide a published current price reference point for water market participants and the wider agricultural community
- Ensure confidentiality of water trade and trader information
- Publish and adhere to developed water trading rules.

Further, the ancillary objectives of the Company are:

- To ensure that equal opportunity and access to trading is provided to all market participants.
- To provide governance protocols that will ensure that all Members are treated equitably and that no Director or Officer will receive an advantage over another Member.
- To develop protocols to ensure appropriate disclosure of the water trading activities of the Directors or Officers.
- To provide that each Member has one (1) vote whenever a matter is referred to Members for decision at a General Meeting of the Company.
- To provide that the trading process will be independently audited.
- To ensure that the Company will not undertake private water trades of temporary seasonal water allocation outside the mechanisms adopted for fair and transparent market disclosure.

- To provide pertinent information and education to the water industry in Victoria and Australia wide.
- To undertake other activities as deemed appropriate by the Board for the benefit of the Company and its Members.

Water Markets Intermediary Services and Obligations

This statement is provided in accordance with the requirements under *Water Markets Intermediaries Code* under Part 5 of the *Water Regulations 2008 (Cth)* and the *Australian Consumer Law* to ensure transparency and accountability in water markets intermediary services.

Water Markets Intermediary Services Provided

We provide the following water markets intermediary services to clients:

- Brokering transactions relating to water entitlements and allocations between parties
- Trading of water rights of behalf of clients
- Advisory services on water market trends and trading strategies
- Lodgement of trade applications with relevant water authorities
- Assistance with intervalley trade applications and approvals
- Holding and management of water allocations through broking water accounts
- Provision of a trading platform for water allocation trades.

Intervalley Trade Opening Transfers

For trades requiring an intervalley trade opening, we will process transfers in compliance with any basin-specific trade rules or caps and as directed by regulators and where limited capacity is available:

- Chronologically based on the time and date of full, written trade documentation submission. Submission to include preferred amount required as well as minimum amount if the preferred volume exceeds the available limit.
- Written submission can be dated and submitted to Water Partners in time for future openings and can be rescinded in writing at any time.

Water Partners cannot guarantee that all applications will be successful due to circumstances outside our control, including but not limited to demand and available volume.

Dealing with Non-Transferrable Water Rights in a Broking Water Account

If eligible tradeable water rights cannot be transferred due to regulatory restrictions or recipient ineligibility:

- We will notify the client immediately.
- The water rights will be held in trust within the broking account until alternative instructions are received.
- We may assist in reassigning or re-trading the water rights as instructed by the client.

Complaints Handling Policy

This Complaints Handling Policy and Procedure has been produced by Water Partners.

1. Purpose

- 1.1. This policy is intended to ensure that we handle complaints:
 - a. Fairly, efficiently and effectively; and
 - b. In compliance with our obligations under provision 5.09 of the *Water Markets Intermediaries Code* under Part 5 of the *Water Regulations 2008 (Cth)* ("Code").
- 1.2. This policy applies to all complaints from any client on whose behalf we have provided a service in exchange for a commission or fee.

2. If you have a complaint

- 2.1. As a client you have a right to make a complaint if you are dissatisfied with us or one of our staff or the services we have or have agreed to provide to you.
- 2.2. If you have a complaint, you should firstly contact Water Partners and tell us about your complaint. You may do this over the phone or in writing, either by email or post.
- 2.3. If you do not feel comfortable dealing directly with your broker, you can also lodge a complaint with Commercial Manager Stephen Cooke at commercial@waterpartners.org.au or via post, PO Box 274, Kyabram, Vic, 3619.
- 2.4. Should you wish for someone to act on your behalf in making a complaint, you can nominate a representative or advocate. Representatives might include financial counsellors, your accountant or legal representatives. For privacy reasons we may need your consent to discuss your circumstances with them.

3. What happens after you lodge a complaint?

- 3.1. We will act in good faith in dealing with the complaint and make a genuine effort to resolve the complaint within 20 business days.
 - 3.2. We will acknowledge your complaint in writing within 2 business days of receiving the complaint and provide you information about the process we will follow in dealing with the complaint. We may seek further information from you.
 - 3.3. Where you have made the complaint verbally, we will provide you with a copy of our written record of the complaint. You may correct that record if you do not believe it correctly reflects your complaint.
 - 3.4. Within 10 business days of receiving your complaint, we will give you a written response that specifies the actions we propose to take to resolve the complaint.
 - 3.5. Within 5 business days of the completing the process for dealing with the complaint we will give you written notice of the outcome of that process.
 - 3.6. If you are not satisfied with the outcome you may seek advice regarding your rights under the Code or the Australian Consumer Law from a legal or other professional.
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Our obligations to you under the Water Markets Intermediaries Code and the Australian Consumer Law

As a water markets intermediary we have obligations to you, our Client under:

- Water Markets Intermediaries Code under Part 5 of the Water Regulations 2008 (Cth) (“the Code”)

and

- Schedule 2 of the Competition and Consumer Act 2010 (Cth) (“the Australian Consumer Law”) This statement sets out those obligations.

Additional information about particular services

Under the Code, Water Partners is obligated to inform our members when we act as the water markets intermediary for both the buyer and seller. As a member-based organisation, Water Partners represents both the buyer and seller. Under the code, we will notify you of this with each potential trade and are obligated to ask all members to confirm in writing that you have received this disclosure.

Obligations under the code

Under the Code we are obligated to:

- Place your interests before the interests of our employees or other related parties (section 5.03)
- Represent your interests diligently and with due care and skill (section 5.03)
- Act in accordance with your lawful instructions (section 5.03)
- Not use or disclose your confidential information without your authority or unless compelled to or allowable by law (section 5.03(4))
- Place your interest before our interests or the interests of a related party of ours (section 5.03)

- Deal fairly, honestly, in good faith and act in your best interests (section 5.04)
- Maintain accurate records of water trades and transactions including water broking accounts and statements of water broking accounts (section 5.12)
- Disclose conflicts of interest, and where there is a material personal interest, we must not provide services to you. We must notify you in writing as soon as the conflict of interest is in existence (sections 5.05 and 5.06)
- To hold and maintain professional indemnity insurance that covers the provision of services to all clients and complies with other requirements under the Act, and to keep records of this insurance for six years (section 5.14)
- Deal with your complaints in good faith and following a documented process. Moreover, make genuine attempts to resolve complaints and communicate and respond to complaints within the required timeframes (section 5.09)
- Obtain written authority from each person who owns or otherwise has a legal or other interest in the relevant water rights before trading or transferring water rights (section 5.10)
- Obtain written authority from you to act as your agent (section 5.11)
- To hold and keep for a period of 6 years all required client records relating to instructions and details of trades, as well as financial and accounting records relating to you (section 5.16)
- Hold and maintain client ledgers for statutory trust accounts and water broking accounts, and make available to you upon request (section 5.17 and section 5.18)
- If we are investigating trading possibilities for tradeable water rights, we are obligated to provide you with details in writing of the service (section 5.08 (2 (d)))
- Prior to commencing services advise you in writing whether tradable water rights are to be held in a broking water account (section 5.08 (e))
- Advise you in writing of the outcome (or any delays or rejections) of any application to a water market authority within 2 days. (section 5.08(f))

Obligations under the Australian Consumer Law

Under the Australian Consumer Law we are obligated to:

- Not engage in misleading or deceptive conduct (section 18)
- Not engage in unconscionable conduct (section 21)
- Not make false or misleading representations (section 29)
- Not accept payment if we cannot or do not intend to provide the services (section 36)
- Not use physical force, or undue harassment or coercion in the provision of services (section 50)

If the client is a consumer as described under the Australian Consumer Law, we also have the obligation to:

- Provide services with due care and skill (section 60).
- Ensure services are fit for their intended purpose (section 61).
- Ensure that the provision of services will be completed in a reasonable time (section 62) if no time frame is specified.

Brokerage and Fees

Please see our standard fee schedule listed below.

Water Partners Terms & Conditions

[Click here to see Water Partners' Terms & Conditions](#) or contact Water Partners to receive a copy.

All fees shown below include GST where applicable

Seller	Allocation Trade	Carryover Protection	Delivery Share	Forward allocation	Ground water Temporary	Ground water Permanent	Leasing-Lessor	Permanent Entitlement
Seller Fee inc. GST	\$2.20/ML		\$605	\$2.20/ML	\$2.20/ML			
Brokerage						3.30%	2.2%	3.30%
Minimum Charge inc. GST	\$220	\$110			\$550	\$550		\$750
Water Authority Application fee								\$228.10
Lodgement fee - Allocation Transfer				\$53.80			\$53.80	\$53.80
Mortgage Discharge								\$73.30
Copy of Record fee- inc. GST		\$26.80	\$26.80				\$26.80	\$26.80
Carryover Facilitator Fee Inc GST		\$2.75/ML						
Limited Terms Transfer							\$374.50	
Ground water- Water Auth. Lodgement Fee					Tier 1 - \$285 Tier 2 - \$2200 Tier 2B - \$595	\$2,525.00		
Auction Listing fee- Inc. GST \$125								
Buyer	Allocation Trade	Carryover Protection	Delivery Share	Forward allocation	Ground water Temporary	Ground water Permanent	Leasing-Lessee	Permanent Entitlement
Buyer Fee inc GST	\$2.20/ML		\$605	\$2.20/ML	\$2.20/ML	\$550	\$5.50/ML	\$550
Brokerage	1.65%			1.75%	1.75%			
Minimum Charge inc. GST	\$220	\$110		\$550	\$550			
Water Authority Application fee			\$285					\$146.40
Lodgement fee per Allocation Transfer	\$53.80			\$53.80			\$53.80	\$53.80
Mortgage Lodgement Fee								\$73.30
Copy of Record fee inc. GST			\$26.80					\$26.80
Carryover Owners Fee- inc. GST		\$2.75/ML						
Lodgement Fee - 2 Fees per ABA		\$107.60						
Auction Buyer Premium- inc. GST- 1.1%								
* Fees may apply in some instances								

Other Services- (inclusive of GST)	Details	Fee
Instant Allocation Transfer	Direct transfer of allocation water (Form 39) includes private trades and IVT applications.	\$90 ea
Company Extract download	Production of current Company Extract - ASIC.	\$13 ea
Copy of Record- water entitlements	Production of current Copy of Record on Water Shares, Delivery Shares, Take & Use Licences which may be required for proof of ownership and tradeable status such as a permanent trade or lease.	\$26.80
3rd Party Facilitation - Option 1	Supply and completion of agreements and lodgement of documents (lodgement fees apply) per water share.	\$275/party
3rd Party Facilitation - Option 2	Full service - management of funds, settlement, notifications and disbursements (lodgement fees apply) per water share.	\$495/party
Consultancy/ Projects Fee	Consulting on water entitlement planning, projects, valuations, succession planning, presentations and/or research requirements.	\$295/hr
Administration fee	Liaising with Water Authority, mortgage discharge (complex), change of ownership or similar service.	\$180/hr
Tender or EOI - Water Buy back	With each Tender/EOI made available, Water Partners will advise fees prior to offering services. This will be a flat fee.	TBA

Terms & Conditions

This fee schedule is subject to change. Additional fees and charges may be applied by Water Authorities as per their nominated schedule of prices. Water Partners has no input into these fees. Trades conducted for water originating from outside Victoria may incur additional fees as determined by applicable state authorities, such as exit fees. Interstate trading may also be affected by trade processing timeframes and closing of limits.

Water Partners is a member owned, Not-for-Profit organisation who support the facilitation of open and transparent water trading through innovative platforms, dedicated market driven pricing and uncompromised guidance and education to those in the irrigation community.

Water Partners was set up by farmers, for farmers and is 100% Australian owned and operated.