

Westpac Banking Corporation v Forum Finance Pty Ltd (in liquidation)

Federal Court of Australia NSD 616/2021

SECTION 50 EVIDENCE ACT SUMMARY

PAYMENTS TO, OR ON BEHALF OF, 4 COWSLIP STREET VIOLET TOWN PTY LTD

Line	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "4 Cowslip St, Violet Town Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	28-Feb-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 155413658 Cowslip Valuation	[Not recorded in Xero Loan Statement]	PRP Bendigo	\$4,400.00	\$4,091.64	\$308.36	\$0.00	\$0.00	\$0.00
2	30-Apr-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159036441 Violet Town lodge	The Trustee for 4 Cowslip St Violet Town Unit Trust - Internet Transfer PYMT-ID 159036441 Violet Town lodge TRANSFER DEBIT	Property Exchange Australia	\$3,710.80	\$3,077.09	\$633.71	\$0.00	\$0.00	\$0.00
3	30-Apr-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159036889 Violet Town S Dep	The Trustee for 4 Cowslip St Violet Town Unit Trust - Internet Transfer PYMT-ID 159036889 Violet Town S Dep TRANSFER DEBIT	Property Exchange Australia	\$191,720.00	\$158,979.24	\$32,740.76	\$0.00	\$0.00	\$0.00
4	01-May-20	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000159081596 VIOLET TOWN DE	The Trustee for 4 Cowslip St Violet Town Unit Trust - INTERNET TRANSFER PMT 000159081596 VIOLET TOWN DE TRANSFER DEBIT	Property Exchange Australia	\$144.07	\$119.47	\$24.60	\$0.00	\$0.00	\$0.00
5	01-May-20	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000159088893 VIOLET TOWN DE	The Trustee for 4 Cowslip St Violet Town Unit Trust - INTERNET TRANSFER PMT 000159088893 VIOLET TOWN DE TRANSFER DEBIT	Property Exchange Australia	\$26,122.38	\$21,661.36	\$4,461.02	\$0.00	\$0.00	\$0.00
6	29-May-20	FGFS xx8642	J300002020 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - J300002020 JUDO BANK Forum Group	4 Cowslip St xx2020	\$6,676.41	\$6,582.75	\$93.66	\$0.00	\$0.00	\$0.00
7	01-Jun-20	FGFS xx8642	AUTOMATIC DRAWING V300002024 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - V300002024 JUDO BANK Forum Group	4 Cowslip St xx2024	\$6,544.25	\$6,452.44	\$91.81	\$0.00	\$0.00	\$0.00

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
Prepared by (name of person/lawyer)	Caitlin Murray		
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(include state and postcode)	Our reference: 1353397		

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Line	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "4 Cowslip St, Violet Town Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	30-Jun-20	FGFS xx8642	AUTOMATIC DRAWING J300002020 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - J300002020 JUDO BANK Forum Group	4 Cowslip St xx2020	\$7,614.96	\$7,306.69	\$308.27	\$0.00	\$0.00	\$0.00
9	01-Jul-20	FGFS xx8642	AUTOMATIC DRAWING V300002024 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - V300002024 JUDO BANK Forum Group	4 Cowslip St xx2024	\$6,544.25	\$6,279.32	\$264.93	\$0.00	\$0.00	\$0.00
10	31-Jul-20	FGFS xx8642	AUTOMATIC DRAWING J300002020 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - J300002020 JUDO BANK Forum Group	4 Cowslip St xx2020	\$7,769.37	\$7,768.26	\$1.11	\$0.00	\$0.00	\$0.00
11	03-Aug-20	FGFS xx8642	AUTOMATIC DRAWING V300002024 JUDO BANK Forum Group	The Trustee for 4 Cowslip St Violet Town Unit Trust - V300002024 JUDO BANK Forum Group	4 Cowslip St xx2024	\$6,544.25	\$1,022.74	\$10.08	\$5,511.43	\$0.00	\$0.00
12	03-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 164492189 Aksara Petrol T1 [Note see below additional information concerning transaction]	Aksara - Aksara Loan - Violet Town	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$12,882.92	\$2,013.35	\$19.85	\$10,849.73	\$0.00	\$0.00
13	12-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165161243 Rent from Aksara	[Not recorded in Xero Loan Statement]	4 Cowslip St xx8540	\$6,808.91	\$4,225.56	\$4.76	\$2,578.58	\$0.00	\$0.00
14	02-Nov-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 170108290 Aksara Petrol T1 [Note see below additional information concerning transaction]	Aksara - Internet Transfer PYMT-ID 170108290 Aksara Petrol T1	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
15	02-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 [Note see below additional information concerning transaction]	Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Violet Town	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
16	30-Mar-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 179158387 Loan to Violet Tow	The Trustee for 4 Cowslip St Violet Town Unit Trust - Internet Transfer PYMT-ID 179158387 Loan to Violet Tow	4 Cowslip St xx8540	\$5,000.00	\$2,244.53	\$601.30	\$1,976.15	\$178.03	\$0.00
17	30-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 181036667 Aksara Petrol T1 [Note see below additional information concerning transaction]	Aksara - Aksara Petrol T1 - Violet Town	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
18	Total ¹					<u>\$331,131.33</u>	<u>\$231,824.42</u>	<u>\$39,564.23</u>	<u>\$20,915.89</u>	<u>\$178.03</u>	<u>\$38,648.76</u>

¹ The tracing split between Financier and Other Funds for the Aksara transactions is drawn from the percentage split in the bulk transaction as shown below.

ADDITIONAL INFORMATION ABOUT "VT PETROL TRANCHE 1" PAYMENT

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statements	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
12	03-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 164492189 Aksara Petrol T1		Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$32,050.53	\$5,008.86 (15.628%)	\$49.38 (0.154%)	\$26,992.29 (84.218%)	\$0.00	\$0.00
				Aksara - Aksara Loan - Taradale	[Allocation based on Xero]	\$2,015.64	\$315.00	\$3.11	\$1,697.53	\$0.00	\$0.00
				Aksara - Aksara Loan - Violet Town	[Allocation based on Xero]	\$12,882.92	\$2,013.35	\$19.85	\$10,849.73	\$0.00	\$0.00
				Aksara - Aksara Loan - Golden Square	[Allocation based on Xero]	\$12,671.32	\$1,980.28	\$19.52	\$10,671.52	\$0.00	\$0.00
				Aksara - Aksara Loan - Derrinallum	[Allocation based on Xero]	\$4,480.65	\$700.24	\$6.90	\$3,773.51	\$0.00	\$0.00

14	02-Nov-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 170108290 Aksara Petrol T1			\$32,050.53	\$0.00	\$0.00	\$0.00	\$0.00	\$32,050.53
				Aksara - Internet Transfer PYMT-ID 170108290 Aksara Petrol T1	[Allocation based on Xero]	\$2,015.64	\$0.00	\$0.00	\$0.00	\$0.00	\$2,015.64
				Aksara - Internet Transfer PYMT-ID 170108290 Aksara Petrol T1	[Allocation based on Xero]	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
				Aksara - Internet Transfer PYMT-ID 170108290 Aksara Petrol T1	[Allocation based on Xero]	\$12,671.32	\$0.00	\$0.00	\$0.00	\$0.00	\$12,671.32
				Aksara - Internet Transfer PYMT-ID 170108290 Aksara Petrol T1	[Allocation based on Xero]	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65

15	02-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 175502407 Aksara Petrol T1			\$32,050.53	\$0.00	\$0.00	\$0.00	\$0.00	\$32,050.53
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Taradale	[Allocation based on Xero]	\$2,015.64	\$0.00	\$0.00	\$0.00	\$0.00	\$2,015.64
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Violet Town	[Allocation based on Xero]	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Golden Square	[Allocation based on Xero]	\$12,671.32	\$0.00	\$0.00	\$0.00	\$0.00	\$12,671.32
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Derrinallum	[Allocation based on Xero]	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65

15	02-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 175502407 Aksara Petrol T1			\$32,050.53	\$0.00	\$0.00	\$0.00	\$0.00	\$32,050.53
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Taradale	[Allocation based on Xero]	\$2,015.64	\$0.00	\$0.00	\$0.00	\$0.00	\$2,015.64

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statements	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Violet Town	[Allocation based on Xero]	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Golden Square	[Allocation based on Xero]	\$12,671.32	\$0.00	\$0.00	\$0.00	\$0.00	\$12,671.32
				Aksara - Internet Transfer PYMT-ID 175502407 Aksara Petrol T1 - Derrinallum	[Allocation based on Xero]	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65

Accounts FGFS xx8642 is a reference to an account in the name Forum Group Financial Services Pty Ltd held with the National Australia Bank with the BSB 082-080 and account number 27-15-8642 4 Cowslip xx2020 is a reference to a facility in the name 4 Cowslip Street Violet Town Pty Ltd ATF 4 Cowslip Street Violet Town Unit Trust held with Judo Bank with facility reference number J300002020 4 Cowslip xx2024 is a reference to a facility in the name 4 Cowslip Street Violet Town Pty Ltd ATF 4 Cowslip Street Violet Town Unit Trust held with Judo Bank with facility reference number V300002024 4 Cowslip xx8540 is a reference to an account in the name of 4 Cowslip Street Violet Town Pty Ltd held with the National Australia Bank with the BSB 082-080 and account number 42-195-8540
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