

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, CANNER INVESTMENTS PTY LTD

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "Canner Investments Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	12-Dec-18	FGFS xx8642	Internet Transfer Pymt-Id 128925722 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$0.00	\$0.00
2	21-Feb-19	FGFS xx8642	Internet Transfer Pymt-Id 132804922 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$10,000.00	\$7,820.38	\$881.57	\$1,298.05	\$0.00	\$0.00
3	23-May-19	FGFS xx8642	Internet Transfer Pymt-Id 138193561 Loan to Canner	Canner Investments Pty Ltd - LOAN TO CANNER TRANSFER DEBIT	Canner Investments xx9119	\$27,425.75	\$27,414.16	\$11.59	\$0.00	\$0.00	\$0.00
4	31-May-19	FGFS xx8642	Internet Transfer Pymt-Id 138761996 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$23,025.75	\$23,016.02	\$9.73	\$0.00	\$0.00	\$0.00
5	12-Jun-19	FGFS xx8642	Internet Transfer Pymt-Id 139362762 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$1,000.00	\$597.30	\$402.70	\$0.00	\$0.00	\$0.00
6	21-Jun-19	FGFS xx8642	Internet Transfer Pymt-Id 139981689 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$4,000.00	\$2,605.99	\$1,394.01	\$0.00	\$0.00	\$0.00
7	25-Jun-19	FGFS xx8642	Internet Transfer Pymt-Id 140179314 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner	Canner Investments xx9119	\$5,000.00	\$3,791.61	\$1,208.39	\$0.00	\$0.00	\$0.00

Filed on behalf of (name & role of party)	Westpac Banking Corporation and Westpac New Zealand Limited, Applicants		
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	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "Canner Investments Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	28-Jun-19	FGFS xx8642	Internet Transfer Pymt-Id 140517238 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner	Canner Investments xx9119	\$7,000.00	\$5,789.54	\$1,210.46	\$0.00	\$0.00	\$0.00
9	27-Aug-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 144038649 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner Investments	Canner Investments xx9119	\$3,000.00	\$2,357.58	\$642.42	\$0.00	\$0.00	\$0.00
10	20-Sep-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 145640417 Loan to Canner	Canner Investments Pty Ltd - Loan to Canner	Canner Investments xx9119	\$20,000.00	\$14,834.18	\$5,165.82	\$0.00	\$0.00	\$0.00
11	04-Oct-19	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 146567519 Loan to Canner	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 146567519 Loan to Canner TRANSFER DEBIT	Canner Investments xx9119	\$5,000.00	\$4,104.63	\$895.37	\$0.00	\$0.00	\$0.00
12	22-Jan-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 153090822 Loan to Canner	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 153090822 Loan to Canner TRANSFER DEBIT	Canner Investments xx9119	\$5,000.00	\$5,000.00	\$0.00	\$0.00	\$0.00	\$0.00
13	15-Jun-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 161598696 Loan to Canner [Note: This transaction is traced through to other entities, namely Intrashield and 26 Edmonstone]	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 161598696 Loan to Canner	Canner Investments xx9119	\$27,329.28	\$25,334.31	\$1,994.97	\$0.00	\$0.00	\$0.00
14	19-Jun-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 161916930 Loan to Canner	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 161916930 Loan to Canner	Canner Investments xx9119	\$10,000.00	\$9,270.06	\$729.94	\$0.00	\$0.00	\$0.00
15	16-Sep-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 167295010 Loan to Canner	[Not recorded in Xero Loan Statement]	Canner Investments xx9119	\$5,000.00	\$3,128.14	\$137.53	\$1,734.34	\$0.00	\$0.00
16	12-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 176317934 Loan to Canner Inv	Canner Investments Pty Ltd - Loan to Canner	Canner Investments xx9119	\$5,000.00	\$1,959.97	\$0.00	\$3,040.03	\$0.00	\$0.00
17	17-Feb-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 176543371 Loan to Canner Inv	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 176543371 Loan to Canner Inv	Canner Investments xx9119	\$10,000.00	\$6,857.56	\$0.00	\$3,142.44	\$0.00	\$0.00
18	02-Jun-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 176543371 Loan to Canner Inv	Canner Investments Pty Ltd - Internet Transfer PYMT-ID 183344288 Loan to Canner Inv	Canner Investments xx9119	\$10,000.00	\$2,549.92	\$0.31	\$6,005.63	\$1,444.14	\$0.00

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "Canner Investments Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
19		Total				<u>\$187,780.78</u>	\$156,431.34	\$14,684.81	\$15,220.49	\$1,444.14	\$0.00

PAYMENTS FROM CANNER INVESTMENTS PTY LTD TO OTHER RESPONDENTS

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "Canner Investments Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	15-Jun-20	Canner Investments xx9119	Internet Transfer Pymt-Id 161599234 Loan Repay	[No Xero Loan Statement]	Intrashield xx7556	\$2,293.95	\$2,131.07	\$162.88	\$0.00	\$0.00	\$0.00
2	15-Jun-20	Canner Investments xx9119	Internet Transfer Pymt-Id 161599175 Loan Repay	[No Xero Loan Statement]	26 Edmonstone Rd xx9902	\$25,035.33	\$23,257.69	\$1,777.64	\$0.00	\$0.00	\$0.00
3	16-Jun-20	Canner Investments xx9119	Internet Transfer Pymt-Id 161648003 Loan Repay	[No Xero Loan Statement]	26 Edmonstone Rd xx9902	\$23.75	\$22.06	\$1.69	\$0.00	\$0.00	\$0.00
4	02-Jun-21	Canner Investments xx9119	Internet Transfer Pymt-Id 183344647 Intercompany clear	[No Xero Loan Statement]	FGFS xx8642	\$70.11	\$17.88	\$0.00	\$42.11	\$10.12	\$0.00
5		Total				<u>\$27,423.14</u>	\$25,428.70	\$1,942.21	\$42.11	\$10.12	\$0.00

TOTAL FUNDS PAID TO, OR FOR THE BENEFIT OF, CANNER INVESTMENTS PTY LTD

	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
Total	<u>\$160,357.64</u>	\$131,002.64	\$12,742.60	\$15,178.38	\$1,434.02	\$0.00

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 Canner Investments xx9119 is a reference to an account in the name CANNER INVESTMENTS PTY LTD held with the National Australia Bank with BSB 082-080 and account number 20-456-9119 26 Edmonstone Rd xx9902 is a reference to an account in the name of 26 Edmonstone Road Pty Ltd held with NAB with the BSB 082-080 and account number 33-371-9902 Intrashield xx7556 is a reference to an account in the name of Intrashield Pty Ltd held with the National Australia Bank with the BSB 082-080 and account number 35-796-7556
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