

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, 9 MAIN STREET DERRINALLUM PTY LTD

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "9 Main St, Derrinallum Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	03-Mar-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 155629572 Main St Valuation	[Not recorded in Xero Loan Statement]	PRP Central Victoria Unit Trust with reference FGFS 878457	\$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 159038942 Derrinallum Dep1	The Trustee for 9 Main Street Derrinallum Unit Trust - Internet Transfer PYMT-ID 159038942 Derrinallum Dep1 TRANSFER DEBIT	Property Exchange Australia	\$130.68	\$108.36	\$22.32	\$0.00	\$0.00	\$0.00
3	30-Apr-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159039400 Derrinallum Dep3	The Trustee for 9 Main Street Derrinallum Unit Trust - Internet Transfer PYMT-ID 159039400 Derrinallum Dep3 TRANSFER DEBIT	Property Exchange Australia	\$3,015.00	\$2,500.12	\$514.88	\$0.00	\$0.00	\$0.00
4	30-Apr-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159039089 Derrinallum Dep2	[Not recorded in Xero Loan Statement]	Property Exchange Australia	\$3,015.00	\$2,500.12	\$514.88	\$0.00	\$0.00	\$0.00
5	30-Apr-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 159041343 PEXA193988045S03F	The Trustee for 9 Main Street Derrinallum Unit Trust - INTERNET TRANSFER PMT 000159089230 DERRINALLUM DE TRANSFER DEBIT	Property Exchange Australia	\$68,750.00	\$57,009.30	\$11,740.70	\$0.00	\$0.00	\$0.00
6	01-May-20	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000159089230 DERRINALLUM DE	[Not recorded in Xero Loan Statement]	Property Exchange Australia	\$4,966.28	\$4,118.17	\$848.11	\$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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	Our reference: 1353397		

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	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "9 Main St, Derrinallum Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
7	29-May-20	FGFS xx8642	J300002019 JUDO BANK Forum Group AUTOMATIC DRAWING	The Trustee for 9 Main Street Derrinallum Unit Trust - J300002019 JUDO BANK Forum Group	9-13 Main St xx2019	\$2,392.64	\$2,359.07	\$33.57	\$0.00	\$0.00	\$0.00
8	01-Jun-20	FGFS xx8642	AUTOMATIC DRAWING V300002021 JUDO BANK Forum Group	The Trustee for 9 Main Street Derrinallum Unit Trust - V300002021 JUDO BANK Forum Group	9-13 Main St xx2021	\$2,350.67	\$2,317.69	\$32.98	\$0.00	\$0.00	\$0.00
9	23-Jun-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 162082642 Loan toDerrinallum	The Trustee for 9 Main Street Derrinallum Unit Trust - Internet Transfer PYMT-ID 162082642 Loan toDerrinallum	9-13 Main St xx6249	\$20,000.00	\$18,540.13	\$1,459.87	\$0.00	\$0.00	\$0.00
10	30-Jun-20	FGFS xx8642	AUTOMATIC DRAWING J300002019 JUDO BANK Forum Group	The Trustee for 9 Main Street Derrinallum Unit Trust - J300002019 JUDO BANK Forum Group	9-13 Main St xx2019	\$2,729.00	\$2,618.52	\$110.48	\$0.00	\$0.00	\$0.00
11	01-Jul-20	FGFS xx8642	AUTOMATIC DRAWING V300002021 JUDO BANK Forum Group	The Trustee for 9 Main Street Derrinallum Unit Trust - V300002021 JUDO BANK Forum Group	9-13 Main St xx2021	\$2,350.67	\$2,255.51	\$95.16	\$0.00	\$0.00	\$0.00
12	31-Jul-20	FGFS xx8642	AUTOMATIC DRAWING J300002019 JUDO BANK Forum Group	The Trustee for 9 Main Street Derrinallum Unit Trust - J300002019 JUDO BANK Forum Group	9-13 Main St xx2019	\$2,784.32	\$2,783.92	\$0.40	\$0.00	\$0.00	\$0.00
13	03-Aug-20	FGFS xx8642	AUTOMATIC DRAWING V300002021 JUDO BANK Forum Group	The Trustee for 9 Main Street Derrinallum Unit Trust - V300002021 JUDO BANK Forum Group	9-13 Main St xx2021	\$2,350.67	\$367.36	\$3.62	\$1,979.69	\$0.00	\$0.00
14	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 - Taradale	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$4,480.65	\$700.24	\$6.90	\$3,773.51	\$0.00	\$0.00
15	12-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165161169 Rent from Aksara	[Not recorded in Xero Loan Statement]	9-13 Main St xx6249	\$18,740.57	\$11,630.27	\$13.11	\$7,097.19	\$0.00	\$0.00
16	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"	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65
17	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 - Taradale	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65

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18	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 - Taradale	Aksara Holding Pty Ltd with reference "VT Petrol Tranche1"	\$4,480.65	\$0.00	\$0.00	\$0.00	\$0.00	\$4,480.65
19		Total ¹				<u>\$155,898.10</u>	\$113,900.42	\$15,705.34	\$12,850.39	\$0.00	\$13,441.95

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
14	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

16	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

17	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
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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.

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				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

18	30-Apr-21	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 181036667 Aksara Petrol T1			\$32,050.53	\$0.00	\$0.00	\$0.00	\$0.00	\$32,050.53
				Aksara - Aksara Petrol T1 - Taradale	[Allocation based on Xero]	\$2,015.64	\$0.00	\$0.00	\$0.00	\$0.00	\$2,015.64
				Aksara - Aksara Petrol T1 - Violet Town	[Allocation based on Xero]	\$12,882.92	\$0.00	\$0.00	\$0.00	\$0.00	\$12,882.92
				Aksara - 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 181036667 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 9-13 Main St xx2019 is a reference to facility in the name Derrinallum Petrol Unit Trust with Judo Bank with facility reference number J300002019 9-13 Main St xx2021 is a reference to a facility in the name Derrinallum Petrol Unit Trust with Judo Bank with facility reference number V300002021 9-13 Main St xx6249 is a reference to an account in the name 9 MAIN STREET DERRINALLUM PTY LTD ATF 9 MAIN STREET DERRINALLUM UNIT TRUST held with the National Australia Bank with the BSB 082-080 and account number 92-649-6249											
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