

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, 14 KIRWIN ROAD MORWELL PTY LTD

	Date	Account from which funds withdrawn	Description on outgoing Forum group bank statement	Description on FGFS Xero Loan Statement "14 Kirwin Road, Morwell Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
1	10-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 163266218 14 Kirwin Road	Property Exchange Australia - Internet Transfer PYMT-ID 163266218 14 Kirwin Road	Property Exchange Australia	\$72,836.00	\$71,839.40	\$996.60	\$0.00	\$0.00	\$0.00
2	10-Jul-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 163263688 14 Kirwin Road	Property Exchange Australia - Internet Transfer PYMT-ID 163263688 14 Kirwin Road	Property Exchange Australia	\$116,945.50	\$115,345.36	\$1,600.14	\$0.00	\$0.00	\$0.00
3	13-Jul-20	FGFS xx8642	TRANSFER DEBITS INTERNET TRANSFER PMT 000163331472 14 KIRWIN ROAD	Property Exchange Australia - INTERNET TRANSFER PMT 000163331472 14 KIRWIN ROAD	Property Exchange Australia	\$50,000.00	\$49,315.86	\$684.14	\$0.00	\$0.00	\$0.00
4	11-Aug-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 165085578 Loan to Morwell	[Not recorded in Xero Loan Statement]	14 Kirwin Road Morwell Pty Ltd	\$8,000.00	\$4,964.75	\$5.60	\$3,029.66	\$0.00	\$0.00
5	14-Aug-20	FGFS xx8642	TRANSFER DEBITS 14 Kirwin Road Morwe165245366 Loan to Morwell	14 Kirwin Road, Morwell - 14 Kirwin Road Morwe165245366 Loan to Morwell	14 Kirwin Rd xx6238	\$8,000.00	\$6,637.99	\$2.51	\$1,359.50	\$0.00	\$0.00
6	01-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Morwell	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
7	01-Dec-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000171864362 LATROBE CITY - RATES	14 Kirwin Road, Morwell - Loan to Morwell for LATROBE CITY - RATES	LATROBE CITY COUNCIL RATE PAYMENTS	\$1,101.15	\$0.00	\$0.00	\$0.00	\$0.00	\$1,101.00

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 "14 Kirwin Road, Morwell Transactions"	Entity or account to which funds paid	Amount	Westpac Funds	Westpac NZ Funds	SMBC Funds	SocGen Funds	Other Funds
8	04-Dec-20	FGFS xx8642	TRANSFER DEBITS INTERNET BPAY PMT 000172239169 TAX OFFICE PAYMENTS	14 Kirwin Road, Morwell - Loan for ATO BAS QE Sep20	AUSTRALIAN TAXATION OFFICE	\$948.00	\$0.00	\$0.00	\$0.00	\$0.00	\$948.00
9	11-Jan-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L174234091 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Aksara Petrol T2	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
10	06-Apr-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L179527358 Aksara Petrol T2 [Note see below additional information concerning transaction]	Aksara - Aksara Petrol T2	Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
11	Total ¹					<u>\$271,735.65</u>	\$248,103.36	\$3,288.98	\$4,389.15	\$0.00	\$15,954.00

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 2" 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
6	01-Oct-20	FGFS xx8642	TRANSFER DEBITS Internet Transfer PYMT-ID 168127071 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Mallacoota	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Morwell	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Lake Boga	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Dimboola	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Internet Transfer PYMT-ID 168127071 Aksara Petrol T2 - Maryborough	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

9	11-Jan-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L174234091 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

10	06-Apr-21	FGFS xx8642	TRANSFER DEBITS Aksara Holding Pty L179527358 Aksara Petrol T2		Aksara Holding Pty Ltd with reference "VT Petrol Tranche2"	\$22,722.77	\$0.00	\$0.00	\$0.00	\$0.00	\$22,722.77
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,978.40	\$0.00	\$0.00	\$0.00	\$0.00	\$3,978.40
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,635.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,635.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$6,234.37	\$0.00	\$0.00	\$0.00	\$0.00	\$6,234.37
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$3,675.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,675.00
				Aksara - Aksara Petrol T2	[Allocation based on Xero]	\$4,200.00	\$0.00	\$0.00	\$0.00	\$0.00	\$4,200.00

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 14 Kirwin Rd xx6238 is a reference to an account in the name of 14 Kirwin Road Morwell Pty Ltd ATF 14 Kirwin Road Morwell Unit Trust with the BSB 013-405 and account number 3202-66238											
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