

Farm Business Debt Mediation Unit
Queensland Rural and Industry
Development Authority (QRIDA)
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www.qrda.qld.gov.au/fbdm

OFFICE USE ONLY
Application Number:

Form 3

Application for Enforcement Action Suspension Certificate

F403 v2

This approved form is authorised by the Queensland Rural and Industry Development Authority (QRIDA) pursuant to section 40 of the *Farm Business Debt Mediation Act 2017* (Qld) (the Act).

Farmer to prepare and send to QRIDA.

I, the farmer

Surname or company name *

Given names/s (leave blank if a company)

ABN

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Service Address

Town

State

Post Code

Authorised representative

Contact Phone

Email Address

* Note if the farmer is not an individual include the name and contact details in the authorised representative section

hereby make application for an Enforcement Action Suspension Certificate to stop the mortgagee identified below from taking enforcement action under the farm mortgage referred to below.

The particulars of this application are:

1. Details of the farm property over which security is held (farm property means: land on which a farmer carries on a farming business; or a water allocation under the *Water Act 2000* (Qld) held by a farmer for carrying on a farming business; or a vehicle, machine, tool or other thing of a type that is usually used to carry on a farming business. Examples — tractor, milking machine, harvester, beehive)

2. Details of mortgagee

Surname or company name *

Given names/s (leave blank if a company)

ABN

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Service Address

Town State Post Code

Authorised representative Contact Phone

Email Address

3. Details of security documentation: (i.e. registered mortgage over lot and plan numbers, registered numbers of General Security Agreement (GSA) and Specific Security Agreement (SSA))

The application is made upon the grounds set out below:

1. the farmer is in default under the farm mortgage
2. there is no current Exemption Certificate in force for the farm mortgage
3. the farmer has given the mortgagee a Request for Mediation Notice and the mortgagee has failed to mediate due to one of the following. (tick one box only)
 - a. no response from the mortgagee within 15 business days of the Request for Mediation Notice S15 dated ____ / ____ / ____ **or**
 - b. receipt of Refusal to Mediate Notice S16 dated ____ / ____ / ____ **or**
 - c. it is considered that the mortgagee has failed to take part in the mediation in good faith or has unreasonably delayed the mediation **or**
 - d. the farmer and the mortgagee agreed to mediation. A period of three months has elapsed since the Request for Mediation Notice S15 dated ____ / ____ / ____ was given, the farmer has attempted to mediate in good faith and there has been no satisfactory mediation between the parties.

Copies of relevant documents attached (these should include):

- Request for Mediation Notice S15
- Refusal to Mediate Notice S16
- Agreement to Mediate Form 8 (if applicable)
- Copies of correspondence between the parties
- A statutory declaration setting out the facts which are considered to constitute grounds for an application.

Authorisation

I/We hereby authorise QRIDA to obtain and disclose such information as considered necessary in relation to this application.
I/We certify that all the information provided in the whole of this application is true and accurate.

Applicant/s Signature _____ Date: ____ / ____ / ____

Privacy information

Personal information provided on this form or obtained from any Relevant Person may be used by QRIDA or state government agencies and their authorised representatives to assess your application and in relation to the administration and management of the Act. More information about our privacy policy is available at www.qrida.qld.gov.au