

Farm Business Debt Mediation Unit
Queensland Rural and Industry
Development Authority (QRIDA)
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OFFICE USE ONLY
Matter Number:

Form 4 Application for Exemption Certificate

F484 v3

This is an approved form authorised by the Queensland Rural and Industry Development Authority (QRIDA) under sections 48 and 90 of the *Farm Business Debt Mediation Act 2017* (Qld) (the Act).

Mortgagee to prepare and send to the Queensland Rural and Industry Development Authority (QRIDA)

I, the 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

hereby make application pursuant to section 48 of the Act for exemption from the obligation to offer mediation before taking enforcement action in relation to the farmer's default under the farm mortgage, described as:

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. the farmer

Surname, company name, partnership or trust *

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 above.

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

4. Enforcement action the mortgagee intends to take:

5. Details of outstanding farm business debts (refer to section 5 of the Act):

Facility (Loan Type)	Balance outstanding as at the date of this notice
	\$
	\$
	\$
	\$
	\$
	\$
	\$

6. Per section 48(2)(b) of the Act, the following are the facts and circumstances that form the basis of the ground on which the mortgagee claims an exemption certificate should be issued (refer over for a summary of the grounds as per section 49 of the Act).

Copies of relevant documents supporting the facts and circumstances should be provided with this application.

Grounds as per section 49 of the Act:

Each of the following is a ground for issuing an exemption certificate in relation to a farmer’s default under a farm mortgage -

- a. the farmer and the mortgagee took part in mediation for the farm business debt and the mediation -
 - i. considered matters relating to the farmer’s default; and
 - ii. was satisfactory (refer to section 7 of the Act)
- b. the farmer has failed to, and does not intend to, mediate in relation to the farm business debt about matters relating to the farmer’s default; *Note - see section 53 for when a farmer has failed to mediate*
- c. all the following apply:
 - i. the farmer and the mortgagee agreed to mediate in relation to the farm business debt;
 - ii. three months, or a longer period agreed in writing by the mortgagee, has elapsed since the mortgagee gave an enforcement action notice to the farmer;
 - iii. during that period, the mortgagee has attempted to mediate in good faith;
 - iv. there has been no satisfactory mediation between the farmer and the mortgagee.
- d. the farm business debt is secured, in part, by a farm mortgage of farm property in another state and, under the corresponding law of that state -
 - i. the mediation for the farm business debt considered matters relating to the farm mortgage of farm property in Queensland and was satisfactory; or
 - ii. the farmer has failed to, and does not intend to, mediate in relation to the farm business debt.

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: ____ / ____ / ____

An authorised person may sign this application on behalf of the mortgagee.

Privacy information

More information about the way QRIDA uses, discloses, and secures your personal information, how you can access and correct that information, and how you can make a complaint about a breach of privacy can be found in its privacy policy. QRIDA will comply with the *Human Rights Act 2019* (Qld) when making any decision, including with respect to collection, use, and disclosure of personal information.

Authorised person on behalf of the mortgagee _____ Signature _____

Date: ____ / ____ / ____