

# Request to Register a Security Interest in a Replacement Water Access Licence Or Notification that No Security Interest Exists (initiated by interest holder)

**Part A** of this form is to be used if a security interest holder (eg. mortgagee, chargee or financier) wishes to register a security interest in a water access licence pursuant to clause 19 of Schedule 10 of the *Water Management Act 2000*. It applies only to security interests which applied at 1 July 2004 to the *Water Act 1912* entitlement which the water access licence replaces.

For registration of new security interests, use the form available on the Department of Lands website.

In order for the interest to be registered it is required that the security interest holder notify the relevant licence holder in writing of the intention to request registration of the interest and allow 90 days to lapse. The written notification is to be in a form approved by the Director-General of the Department of Natural Resources (a template letter is available from the Department).

**Part B** of this form is to be used by the holder of an interest in land (mortgage or charge) to which the *Water Act 1912* entitlement related to notify that there was NO interest in that entitlement and therefore no security interest that can be registered pursuant to clause 19 of Schedule 10 of the *Water Management Act 2000*.

Complete **Part A** OR **Part B**.

## PART A – Request to Register a Security Interest in a Water Access Licence

### Security interest holder to complete

I ....., [full name]

of ....., [address and occupation]

being an authorised representative of .....  
[name of security interest holder, ie. organisation]

do solemnly and sincerely declare that:

a security interest in the form of a mortgage/charge [*strike out inappropriate option*] was held in the *Water Act 1912* entitlement (licence number \_\_\_\_\_) in respect of Lot/Deposited Plan \_\_\_\_\_//\_\_\_\_\_.

(Tick one box below as appropriate:)

The mortgage/charge reference is \_\_\_\_\_ (registration number) registered pursuant to the:

- \* *Conveyancing Act 1919* (in the General Register of Deeds)        }
- \* *Real Property Act 1900* (in the NSW Land Titles Register)       } (*strike out as appropriate*)
- \* *Corporations Act 2001* (in the ASIC Corporations Register)       }

**OR, if unregistered**

a copy of the mortgage/charge document is attached.

Pursuant to Schedule 10, clause 19(1) of the *Water Management Act 2000* I seek to have this security interest registered in the name of the security interest holder in the following water access licence(s):

WAL \_\_\_\_\_

WAL \_\_\_\_\_

WAL \_\_\_\_\_

WAL \_\_\_\_\_

which replaced the above-mentioned *Water Act 1912* licence.

I request that the water access licence certificate(s) be issued by Department of Lands, Land and Property Information Division to:

.....  
.....  
.....

*[name, address and contact person of the security interest holder]*

I declare that ..... *[name of security interest holder]* has advised

.....  
.....  
*[the water access licence holder/s]*

in writing in a form approved by the Director-General of the Department of Natural Resources, as to the existence of the security interest and of our intention to request it be registered against the listed water access licences. Further, at least 90 days has elapsed since the letter was sent to the water access licence holder.

The response of the water access licence holder was:

- the water access licence holder consented to the registration of the security interest  
OR
- no response was received from the water access licence holder  
OR
- the water access licence holder objected to registration of the security interest.

*[strike out two of the options above which do not apply]*

and I make this solemn declaration conscientiously believing the same to be true.

Declared at ..... [place]  
this ..... [date] day of ..... [month, year],

Before me,

..... [signature of Justice of the Peace or other party  
legally authorised to witness]

..... [signature of declarant]

**Part B – Notification that NO security interest exists  
Interest holder in land to complete**

I ....., [full name]

being an authorised representative of .....  
[name of interest holder in land, ie. organisation]

declare that an interest in the form of a mortgage/charge [strike out inappropriate option]  
was NOT held in the Water Act 1912 entitlement (licence number \_\_\_\_\_) in respect of  
Lot/Deposited Plan \_\_\_\_\_//\_\_\_\_\_ that was replaced by the following water  
access licence(s):

WAL ..... WAL .....

WAL ..... WAL .....

AND that there is no security interest that can be registered pursuant to Schedule 10, clause  
19 (1) of the Water Management Act 2000.

..... [Signature of interest holder in land]

Name: ..... Name: .....  
.....

Date: ..... Date: .....  
.....

Return to: Water Dealings Officer  
Department of Natural Resources  
PO Box 3720  
PARRAMATTA NSW 2124