



WATER REGISTER

LIMITED TERM TRANSFERS



Reference

Clause 9(3), Schedule 15 of the Water Act 1989 provides that where a purchaser under a terms purchase of a holding in a water system:

- occupies the land and is entitled to water;

and

- the vendor will be the holder of a water share after the appointed day (ie 1 July for the regulated water systems,

then the purchaser will be deemed to hold a limited term transfer from the appointed day.

For this deeming to occur, the purchaser must apply to the Minister for approval in the form approved by the Minister before 1 July.

Clause 9(4), Schedule 15 of the Water Act 1989 provides that a limited term transfer continues in force for so long as the purchaser is entitled to receive water under the contract.

If a customer is buying land as a terms purchaser under a contract of sale, they need to apply to Goulburn-Murray Water for a limited terms transfer prior to 1 July 2007.

The application for a deemed limited term transfer should be in writing on the prescribed Form together with:

- a certified copy of the contract of sale for the property which must include the full names of the vendors as shown on the certificate of title for the land (if not set out in the contract of sale), full names of the purchasers, information on the final date for transfer of the property and show the purchasers as being entitled to water;
- evidence that the purchaser is in occupation of the holding (such as a statutory declaration, or copy of current rate certificate showing the purchaser as the rated owner),

and

- details of their entitlement to the water on or after 1 July 2007.

Once the Customers application has been approved, they will be deemed as the holder of a limited term transfer and can continue to receive the water allocation from 1 July 2007 until final settlement.