

Form 8 Mediator Appointment

This is not a compulsory form, however may be used by the mediator to agree appointment.

This Agreement is dated ____ / ____ / ____

Between the following parties (together called “the parties”)

Name of mortgagee

Name of farmer

And the Mediator (called “the mediator”)

Name of mediator

Appointment of mediator

The appointment of the mediator is in terms of the Guidelines for conducting mediation which is attached to this agreement.

The costs of mediation

Each party to a mediation must pay the party’s own costs for the mediation and half of the mediator’s fee and costs for the mediation (refer to Schedule 2: Costs of the Mediation).

Signing of the Agreement to Mediate

The parties and the mediator have signed this agreement to mediate as follows: Date: ____ / ____ / ____

Farmer’s name _____ Signature _____

Mortgagee’s name _____ Signature _____

Mediator’s name _____ Signature _____

Schedule 1: Description of the matter

The matter to be the subject of this mediation is per the relevant Enforcement Action Notice S14

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

3. Enforcement action the mortgagee intends to take:

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

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

Schedule 2: Costs of mediation

Mediator's fees and expenses:

For all preparation time and the first _____ hours
of the mediation session: \$ _____
Additional time: \$ _____

- 1. Room Hire and Out of Pocket Expenses \$ _____
- Total \$ _____

CONFIDENTIALITY

Section 38 Farm Business Debt Mediation Act 2017 (QLD)

Persons who are not parties to a mediation session:

- a) may be present at or participate in a mediation meeting in an advisory or representative capacity if authorised to do so under section 23 of the Act, or
- b) may otherwise be present at or participate in a mediation meeting with the approval of the mediator.

Name of independent person/s present at the mediation:

(Name of independent person. Please print)

(Name of independent person. Please print)

(Name of independent person. Please print)

(Name of independent person. Please print)

I UNDERTAKE to the parties to the mediation that, in exchange for being permitted by them to be present at the mediation:

- 1. I will not disclose to anyone any information received by me during the mediation, unless required by law to make such a disclosure.
- 2. I will not disclose to anyone involved in the mediation any information received by me during the mediation from a party to the mediation unless expressly authorised by the disclosing party to do so.

(Signature of Independent Person)

_____/_____/20_____
(Date)

(Signature of Independent Person)

_____/_____/20_____
(Date)

(Signature of Independent Person)

_____/_____/20_____
(Date)

(Signature of Independent Person)

_____/_____/20_____
(Date)