Form 7: Victorian *Farm Debt Mediation Act 2011*

# Section 9(1)(b) notice from the farmer to the creditor

## Request for farmer-initiated mediation concerning farm debt

***Instructions for completing this form on your PC:***

*Press the tab key to move from one field to the next and press shift and tab together to move backwards*

This form is approved by the [**Victorian Small Business Commission (VSBC)**](https://www.vsbc.vic.gov.au/) under section 9(2) of the Victorian *Farm Debt Mediation Act 2011* (the Act).

This is a notice under section 9(1)(b) of the Act requesting you
      [*insert creditor’s name*]
to enter into farm debt mediation with       [*insert farmer’s name*]
regarding the farm mortgage(s) and farm debt(s) detailed below.

**Details of the security instrument (farm mortgage):**

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| --- |
|       |

**Details of the property over which security is held:**

|  |
| --- |
|       |

|  |
| --- |
| **Facility** |
|       |
|       |
|       |

**Other relevant information:**

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|       |

### Creditor rights under the *Farm Debt Mediation Act 2011*

Under the Act, a creditor who has received a request from a farmer for farmer-initiated mediation may agree or refuse to attend mediation for the farm debt. If the farmer is not in default, the creditor is not obliged to mediate and a refusal by a creditor to mediate does not, of itself, give rise to any claim or other consequence under this Act.

**If the farmer is in default, a refusal by a creditor to mediate may result in the VSBC issuing a prohibition certificate (which stops a creditor from taking enforcement action).**

### Action required by a creditor receiving a request for farmer-initiated mediation who chooses to mediate

You have 21 days from the date this notice is given to give notice to the farmer of your intention to take part in farmer-initiated mediation with the farmer. **If the farmer is in default and you do not respond within 21 days, the farmer will be entitled to apply to the VSBC for a prohibition certificate.**

### How to respond to this section 9(1)(b) notice

Your response to this notice must be in the form of a notice under section 10(1) of the Act (**form 8 – section 10(1) notice, attached**).

### Signature of the farmer authorising the issue of this notice

**Name:**

**Signed:** 

**Date issued:**       **Date sent:**