



No: NSD 1222/2014

Federal Court of Australia
District Registry: New South Wales
Division: General

SYDNEY FOREX PTY LTD (ACN 111 743 750)
Plaintiff

WESTPAC BANKING CORPORATION (ACN 007 457 141)
Defendant

ORDER

JUDGE: JUSTICE FOSTER

DATE OF ORDER: 4 December 2014

WHERE MADE: Sydney

THE COURT:

1. ORDERS pursuant to s 33ZF of the *Federal Court of Australia Act 1976* (Cth) (FCAA), that any Group Member who wishes to participate in the resolution or settlement of this proceeding shall, by no later than 4.00 pm on 19 December 2014, register as a participating Group Member either by mailing or delivering a completed registration form, in the form set out in Annexure A to these Orders, to the solicitors for the plaintiff at the address shown on the form.
2. ORDERS pursuant to s 33X of the FCAA, that notice of the commencement of this proceeding, of the right of Group Members to opt out of this proceeding, and of the substance and effect of these Orders, is to be given to Group Members in accordance with Orders 3 to 5 below.
3. ORDERS that the form and content of the notices set out in Annexure B (**Annexure B Notice**) and Annexure C (**Annexure C Notice**) to these Orders (together, **Notices**) is approved for the purposes of s 33Y(2) of the FCAA.
4. ORDERS that the Notice is to be given by the plaintiff to Group Members by 4.00 pm on 5 December 2014 by causing, at the expense of the plaintiff:




- a. a copy of the Notice to be sent by email:
 - i. to each Group Member for whom the solicitors for the plaintiff hold a current email address; and
 - ii. to the the members of the Australian Remittance and Currency Providers Association (**ARCPA**) for whom a current email address is held;
 - b. a copy of the Notice to be sent by mail to the last known address of each Group Member for whom the solicitors for the plaintiff do not hold a current email address;
 - c. a copy of the Notice to be sent by mail to the last known address of each Group Member for whom the solicitors for the plaintiff do not hold a current email address;
 - d. a copy of the Notice, together with a copy of the Amended Originating Application, Amended Statement of Claim and these Orders, to be displayed on, or otherwise made available for download from, the website of:
 - i. the plaintiff's solicitors (www.mitry.com.au); and
 - ii. ARCPA (<http://www.arcpa.org.au/>);and to remain continuously so displayed or available up to and including 4.00 pm on 19 December 2014.
5. ORDERS that the notices in Annexures B and C to these Orders may be amended by the solicitors for the plaintiff before they are emailed, displayed or published in order to correct any website or email address or telephone number or other non-substantive error.
6. ORDERS pursuant to s 33ZF of the FCAA that any person who is a Group Member and who neither opts out nor registers as a participating Group Member in accordance with Order 1 above by 4.00 pm on 19 December 2014, will remain a Group Member for all purposes, but, subject to further order, will not be entitled to receive a distribution from any amount agreed in settlement of this proceeding or to be a person who will be described or otherwise identified in any judgment in this proceeding in accordance with s 33ZB of the FCAA.
7. DIRECTS that, if the solicitors for any party receive, on or before 4.00 pm on 19 December 2014, a notice purporting to be an opt out notice referable to this proceeding, the solicitors shall file the notice in the New South Wales Registry of the Federal Court of Australia and serve a copy thereof upon the solicitors for the counter-



party or parties within three (3) days, and the notice shall be treated as an opt out notice received by the Court at the time it was received by the solicitors who first received it.

8. ORDERS that the solicitors for the plaintiff and the solicitors for the defendant have leave to inspect the Court file and to copy any opt out notices filed.
9. DIRECTS that by 10.00 am on 22 December 2014 the plaintiff must:
 - a. deliver to the defendant a list (in electronic form) of all persons who, on or before 4.00 pm on 19 December 2014, registered as a participating Group Member in accordance with Order 1 above (**Registered Group Members**), which list shall contain:
 - i. all of the information provided by each Registered Group Member at the time of registration; and
 - ii. any amendments to that information as notified to the solicitors for the plaintiff by 4.00 pm on 19 December 2014, with such information to be kept confidential by the defendant; and
 - b. file with the Court, in a sealed envelope marked “Confidential List of Registered Group Members – Not to be opened without leave of the Court or a Judge”, a consolidated list of the Registered Group Members.
10. Liberty is reserved to the solicitors for the plaintiff to apply for the addition, deletion or amendment of persons or details to or from the list of Registered Group Members referred to in Order 9 above if it appears that the omission or inclusion of a person or details was the result of an error by the solicitors or otherwise.
11. ORDERS that the costs of and incidental to the procedure set out in Orders 1 to 10 above shall be costs in the proceeding and, for the avoidance of doubt, NOTES that answering enquiries by Group Members and members of the public in relation to the Notices or the Advertisement is work incidental to Orders 1 to 10 above.

Date that entry is stamped: 04 December 2014


Registrar



Annexure A

Registration Form – Remittance Provider Class Action

IMPORTANT NOTICE:

- If you wish to register to participate in the Remittance Provider Class Action, and have not previously registered to participate, you can register by completing and mailing this form.
▪ If you wish to register by completing and mailing this form, please ensure that the details referred to below are completed, and that the completed form is mailed to

Mitry Lawyers , Liberty Place, 161-167 Castlereagh St, Sydney NSW 2000

in sufficient time for it to be delivered to that address by 4.00 pm on 19 December 2014. If your completed form is not received by that time, you may not be eligible to participate in any future settlement of the Remittance Provider Class Action.

1. Name of Remittance Business

(Company Name) ACN/ABN

2. Name of Person Lodging Form

(Mr / Mrs / Ms, etc) Full Name

(Position)

3. Contact Information

Mailing Address (include state and postcode):

Telephone No:

Email Address:

4. Name of Account-Holder(s) (This is the name of the person(s) or entity(ies) in which the account was held, and whose name(s) appeared on the account statements.)

5. Date of XYLO Registration (This is the date on which you or a representative of the remittance business registered with Westpac to use the XYLO Foreign Exchange Platform).

6. Date of closure notification (This is the date on which you or the remittance business received notice in writing from Westpac that the bank accounts of the remittance business were going to be closed).

Date notice received:

Period of notice:

Date extension received (if any):

Period of extension:

YOU MUST PROVIDE YOUR ACCOUNT NUMBERS IN THE TABLE ON THE REVERSE OF THIS FORM TO REGISTER



7. Account Numbers

Account Number (please include BSB number)	Account Type



Annexure B

Opt Out Notice

FEDERAL COURT OF AUSTRALIA

REMITTANCE PROVIDER CLASS ACTION

Sydney Forex Pty Ltd v Westpac Banking Corporation

(NSD 1222 of 2014)

**THIS NOTICE IS INTENDED FOR ALL PERSONS WHO HAVE PREVIOUSLY
REGISTERED WITH MITRY LAWYERS TO PARTICIPATE IN THE
REMITTANCE PROVIDER CLASS ACTION**

PLEASE READ THIS NOTICE CAREFULLY

YOU HAVE 2 OPTIONS:

- 1. DO NOTHING, IN WHICH CASE YOU WILL REMAIN AS A GROUP MEMBER AND CONTINUE TO BE ENTITLED TO RECEIVE ANY BENEFIT AVAILABLE IN THIS CLASS ACTION**
- 2. COMPLETE AN 'OPT OUT' FORM AND LOSE A RIGHT TO ANY BENEFIT AVAILABLE IN THIS ACTION BUT KEEP YOUR RIGHT TO TRY AND GET A BENEFIT YOURSELF**

1. Why is this notice important?

A class action has been commenced in the Federal Court of Australia by Sydney Forex Pty Ltd (**plaintiff**) against Westpac Banking Corporation (ACN 007 457 141) (**Westpac**). The action arises out of a claim that Westpac has not provided its remittance business customers with reasonable notice before purporting to close their bank accounts and access to the XYLO Foreign Exchange Platform (**XYLO**).

The plaintiff is represented by solicitors Mitry Lawyers.

The Federal Court has ordered that this notice be published for the information of persons who might be members of the class on whose behalf the action is brought and may be affected by the action. You are a class member if you:



- (a) operate a business providing remittance services, being services for the transfer of money between persons in Australia and persons in countries other than Australia;
- (b) are registered on the Remittance Sector Register maintained by the Chief Executive Officer of the Australian Transaction Reports and Analysis Centre (AUSTRAC) under s 75 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth); and
- (c) as at 21 November 2014 hold bank accounts with Westpac; and
- (d) have been notified by Westpac in writing that the bank accounts will be closed by Westpac unless the bank accounts are personally closed first, and have not consented to such closure.

You have been identified as a potential class member as a result of you having registered to participate in this class action with Mitry Lawyers. **If you are a class member, you should read this notice very carefully. Any questions you have concerning the matters contained in this notice should not be directed to the Court.** If there is anything in it that you do not understand, you should seek legal advice.

2. What is a class action?

A class action is an action that is brought by one or more persons (the Applicant, in this case the plaintiff) on their own behalf and on behalf of a group of people (**class members**) against another person (the respondent, in this case Westpac) where the Applicant and the class members have similar claims against the respondent.

Class members in a class action **are not** individually responsible for the legal costs associated with bringing the class action. In a class action, only the Applicant is responsible for the costs.

Class members are bound by any judgment or settlement entered into in the class action unless they have opted out of the proceeding. This means that:

- (a) if the class action is successful, class members may be eligible for an account closure extension or Court-awarded damages;
- (b) if the class action is unsuccessful, class members are bound by that result; and
- (c) regardless of the outcome of the class action, class members will not be able to pursue their claims against Westpac in a separate legal action unless they have opted out.



3. What is Opt Out?

The Applicant in a class action does not need to seek the consent of class members to commence a class action on their behalf or to identify a specific class member. However, class members can cease to be class members by opting out of the class action. An explanation of how class members are able to opt out is found below in the section headed “How can you opt out of the action”.

4. What is this class action?

This class action, the Remittance Provider Class Action, is brought by the plaintiff on its own behalf and on behalf of all persons who are “**class members**” as defined in the action.

The plaintiff alleges in the Amended Statement of Claim in Federal Court action NSD 1222 of 2014 that Westpac breached its contracts with the plaintiff and class members by purporting to close the plaintiff’s and class members’ bank accounts and access to XYLO without providing reasonable notice. The plaintiff also alleges that Westpac acted unconscionably and made misleading and deceptive statements to the plaintiff and class members in connection with the account closure notifications. The plaintiff seeks that Westpac provide more time before it closes any accounts.

The defendant to the class action is Westpac. Westpac is defending the class action.

5. Are you a class member?

You are a class member if you:

- (a) operate a business providing remittance services, being services for the transfer of money between persons in Australia and persons in countries other than Australia;
- (b) are registered on the Remittance Sector Register maintained by the Chief Executive Officer of the Australian Transaction Reports and Analysis Centre (**AUSTRAC**) under s 75 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth); and
- (c) as at 21 November 2014 hold bank accounts with Westpac; and
- (d) have been notified by Westpac in writing that the bank accounts will be closed by Westpac unless the bank accounts are personally closed first, and have not consented to such closure.

If you are unsure whether or not you are a class member, you should contact Mitry Lawyers on + **61 2 9222 2833** or seek your own legal advice without delay.



6. Will you be liable for legal costs?

Subject to any retainer you have entered with Mitry Lawyers, you will not become liable for any legal costs simply by remaining as a class member for the determination of the common questions. However:

- (a) if the preparation or finalisation of your personal claim requires work to be done in relation to issues that are specific to your claim, you can engage Mitry Lawyers or other lawyers to do that work for you. A copy of the terms on which Mitry Lawyers are acting in the class action may be obtained from them on the number shown below; and
- (b) if any compensation becomes payable to you as a result of any order, judgment or settlement in the class action, the Court may make an order that some of that compensation be used to help pay a share of the costs which are incurred by the plaintiff in running the class action but which are not able to be recovered from the defendant; and

Please note, you will be required to pay any costs you incur on your own behalf, including legal advice you choose to obtain from lawyers other than Mitry Lawyers.

7. What will happen if you choose to remain a class member?

Unless you opt out, you will be bound by the outcome of the class action. If the class action is successful, you may be entitled to share in the benefit of any order, judgment or settlement in favour of the plaintiff and class members. If the action is unsuccessful or is not as successful as you might have wished, you will not be able to sue on the same claim in any other action.

8. How can you remain a class member?

If you wish to remain a class member there is **nothing you need to do** at the present time. The plaintiff will continue to bring the action on your behalf up to the point where the Court determines those questions that are common to the claims of the plaintiff and the class members.

9. How can you opt out of the class action?

If you do not wish to remain a class member you must opt out of the class action. If you opt out you will not be bound by or entitled to share in the benefit of any order, judgment or settlement in the class action, but you will be at liberty to bring your own claim against Westpac, provided that you issue Court action within the time limit applicable to your claim.



If you wish to bring your own claim against Westpac, you should seek your own legal advice about your claim and the applicable time limit **prior** to opting out.

NOTE: Westpac has given undertakings that it will not close the bank accounts of group members until 24 December 2014 or earlier further order of the Court. If you opt out, you will no longer be protected by those undertakings and Westpac may close your accounts.

If you wish to opt out of the class action you **must** do so by completing an “**Opt Out Notice**” in the form attached, then returning it to the Registrar of the Federal Court of Australia at the address on the form. **IMPORTANT: the Notice must reach the Registrar by no later than 4.00 pm on 19 December 2014**, otherwise it will not be effective.

You should submit the Opt Out Notice if:

- (a) you qualify as a class member and you wish to opt out of the class action; or
- (b) you believe that you have been incorrectly identified as a class member, because you do not meet the criteria set out in the section headed “Are you a class member” above.

Each class member should fill out a separate form. If you are opting out on behalf of a company or business please provide your name, the name of the company or business and your position within the company or business (e.g. director or partner).

10. Where can you obtain copies of relevant documents?

Copies of relevant documents, including the Amended Originating Application, the Amended Statement of Claim and the orders of the Court regarding this Notice may be obtained by downloading them from:

- (a) the website of the Federal Court of Australia (<http://www.fedcourt.gov.au/case-management-services/class-actions>); or
- (b) the website of Mitry Lawyers (<http://www.mitry.com.au>).

Please consider the above matters carefully. If there is anything of which you are unsure, you should contact Mitry Lawyers on + 61 2 9222 2833 or seek your own legal advice.

You should not delay in making your decision.



Form 21

Rule 9.34

Opt out notice

NSD 1222 of 2014

Federal Court of Australia
District Registry: New South Wales
Division: General

SYDNEY FOREX PTY LTD (ACN 111 743 750)
Plaintiff

WESTPAC BANKING CORPORATION (ACN 007 457 141)
Defendant

To: The Registrar
Federal Court of Australia
New South Wales District Registry
Law Courts Building
184 Phillip Street, Sydney NSW 2000

..... (insert name), a group member in this representative proceeding, gives notice under section 33J of the *Federal Court of Australia Act 1976*, that I am opting out of the representative proceeding.

Date:

.....
Signed by (insert name)
Group Member / Lawyer for the Group Member

Filed on behalf of (name & role of party)
Prepared by (name of person/lawyer)
Law firm (if applicable)
Tel _____ Fax _____
Email _____
Address for service
(include state and postcode) _____



Annexure C

Registration and Opt Out Notice

FEDERAL COURT OF AUSTRALIA

REMITTANCE PROVIDER CLASS ACTION

Sydney Forex Pty Ltd v Westpac Banking Corporation

(NSD 1222 of 2014)

**THIS NOTICE IS INTENDED FOR ALL PERSONS WHO HAVE NOT
PREVIOUSLY REGISTERED WITH MITRY LAWYERS TO PARTICIPATE IN
THE REMITTANCE CLASS ACTION BUT ARE CLASS MEMBERS AS DEFINED
BELOW**

PLEASE READ THIS NOTICE CAREFULLY

**IF YOU WISH TO PARTICIPATE IN THIS CLASS ACTION YOU MUST COMPLY
WITH THIS NOTICE. IF YOU DO NOT DO SO YOUR RIGHTS MAY BE LOST.**

YOU HAVE 3 OPTIONS:

- 1. DO NOTHING AND LOSE ANY RIGHTS TO ANY BENEFIT IF THIS
ACTION SETTLES**
- 2. REGISTER TO RECEIVE ANY BENEFIT THAT MAY BECOME
AVAILABLE IN THIS CLASS ACTION**
- 3. COMPLETE AN 'OPT OUT' FORM AND LOSE A RIGHT TO ANY BENEFIT
AVAILABLE IN THIS ACTION BUT KEEP YOUR RIGHT TO TRY AND GET
A BENEFIT YOURSELF**

1. Why is this notice important?

A class action has been commenced in the Federal Court of Australia by Sydney Forex Pty Ltd (**plaintiff**) against Westpac Banking Corporation (ACN 007 457 141) (**Westpac**). The action arises out of a claim that Westpac has not provided its remittance business customers



with reasonable notice before purporting to close their bank accounts and access to the XYLO Foreign Exchange Platform (XYLO).

The plaintiff is represented by solicitors Mitry Lawyers.

The Federal Court has ordered that this notice be published for the information of persons who might be members of the class on whose behalf the action is brought and may be affected by the action. You are a class member if you:

- (a) operate a business providing remittance services, being services for the transfer of money between persons in Australia and persons in countries other than Australia;
- (b) are registered on the Remittance Sector Register maintained by the Chief Executive Officer of the Australian Transaction Reports and Analysis Centre (AUSTRAC) under s 75 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth); and
- (c) as at 21 November 2014 hold bank accounts with Westpac; and
- (d) have been notified by Westpac in writing that the bank accounts will be closed by Westpac unless the bank accounts are personally closed first, and have not consented to such closure.

If you are a class member, you should read this notice very carefully. Any questions you have concerning the matters contained in this notice should not be directed to the Court. If there is anything in it that you do not understand, you should seek legal advice.

Class members wishing to participate in any potential settlement of the proceeding must register their claims by **4.00 pm on 19 December 2014**. If you do not register, you may lose any rights you have to compensation.

2. What is a class action?

A class action is an action that is brought by one or more persons (the Applicant, in this case the plaintiff) on their own behalf and on behalf of a group of people (**class members**) against another person (the respondent, in this case Westpac) where the Applicant and the class members have similar claims against the respondent.

Class members in a class action **are not** individually responsible for the legal costs associated with bringing the class action. In a class action, only the Applicant is responsible for the costs.



Class members are bound by any judgment or settlement entered into in the class action unless they have opted out of the proceeding. This means that:

- (a) if the class action is successful, class members may be eligible for an account closure extension or Court-awarded damages;
- (b) if the class action is unsuccessful, class members are bound by that result; and
- (c) regardless of the outcome of the class action, class members will not be able to pursue their claims against Westpac in a separate legal action unless they have opted out.

3. What is Opt Out?

The Applicant in a class action does not need to seek the consent of class members to commence a class action on their behalf or to identify a specific class member. However, class members can cease to be class members by opting out of the class action. An explanation of how class members are able to opt out is found below in the section headed “How can you opt out of the action”.

4. What is this class action?

The plaintiff alleges in the Amended Statement of Claim in Federal Court action NSD 1222 of 2014 that Westpac breached its contracts with the plaintiff and class members by purporting to close the plaintiff’s and class members’ bank accounts and access to XYLO without providing reasonable notice. The plaintiff also alleges that Westpac acted unconscionably and made misleading and deceptive statements to the plaintiff and class members in connection with the account closure notifications. The plaintiff seeks that Westpac provide more time before it closes any accounts.

The defendant to the class action (Westpac) is defending the class action.

5. Are you a class member?

You are a class member if you:

- (a) operate a business providing remittance services, being services for the transfer of money between persons in Australia and persons in countries other than Australia;
- (b) are registered on the Remittance Sector Register maintained by the Chief Executive Officer of the Australian Transaction Reports and Analysis Centre (**AUSTRAC**) under s 75 of the *Anti-Money Laundering and Counter-Terrorism Financing Act 2006* (Cth); and
- (c) as at 21 November 2014 hold bank accounts with Westpac; and



- (d) have been notified by Westpac in writing that the bank accounts will be closed by Westpac unless the bank accounts are personally closed first, and have not consented to such closure.

If you are unsure whether or not you are a class member, you should contact Mitry Lawyers on + 61 2 9222 2833 or seek your own legal advice without delay.

6. Will you be liable for legal costs?

Subject to any retainer you enter with Mitry Lawyers, you will not become liable for any legal costs simply by remaining as a class member for the determination of the common questions. However:

- (a) if the preparation or finalisation of your personal claim requires work to be done in relation to issues that are specific to your claim, you can engage Mitry Lawyers or other lawyers to do that work for you. A copy of the terms on which Mitry Lawyers are acting in the class action may be obtained from them on the number shown below; and
- (b) if any compensation becomes payable to you as a result of any order, judgment or settlement in the class action, the Court may make an order that some of that compensation be used to help pay a share of the costs which are incurred by the plaintiff in running the class action but which are not able to be recovered from the defendant.

Please note, you will be required to pay any costs you incur on your own behalf, including legal advice you choose to obtain from lawyers other than Mitry Lawyers.

7. What will happen if you choose to remain a class member?

Unless you opt out, you will be bound by the outcome of the class action, and unless you take one of the two steps referred to in the Important Notice below, you will lose any right to receive compensation or pursue separate action on the same claims. If the class action is successful, you may be entitled to share in the benefit of any order, judgment or settlement in favour of the plaintiff and class members. If the action is unsuccessful or is not as successful as you might have wished, you will not be able to sue on the same claim in any other action.

8. How can you remain a class member?

If you wish to remain a class member, and to participate in any future settlement of the Remittance Provider Class Action (subject to an assessment that you have a valid claim), then you need to register by no later than **4.00 pm on 19 December 2014**, in order for you to



receive a distribution from any amount agreed in settlement of the action. You can register by completing the attached “**Registration Form – Remittance Provider Class Action**” and mailing it to Mitry Lawyers at the address shown on the form.

9. How can you opt out of the class action?

If you do not wish to remain a class member you must opt out of the class action. If you opt out you will not be bound by or entitled to share in the benefit of any order, judgment or settlement in the class action, but you will be at liberty to bring your own claim against Westpac, provided that you issue Court action within the time limit applicable to your claim. If you wish to bring your own claim against Westpac, you should seek your own legal advice about your claim and the applicable time limit **prior** to opting out.

NOTE: Westpac has given undertakings that it will not close the bank accounts of group members until 24 December 2014 or earlier further order of the Court. If you opt out, you will no longer be protected by those undertakings and Westpac may close your accounts.

If you wish to opt out of the class action you **must** do so by completing an “**Opt Out Notice**” in the form attached, then returning it to the Registrar of the Federal Court of Australia at the address on the form. **IMPORTANT: the Notice must reach the Registrar by no later than 4.00 pm on 19 December 2014**, otherwise it will not be effective.

You should submit the Opt Out Notice if you qualify as a class member and you wish to opt out of the class action.

Each class member should fill out a separate form. If you are opting out on behalf of a company or business please provide your name, the name of the company or business and your position within the company or business (e.g. director or partner).

IMPORTANT NOTICE: If you are a class member who has not already registered to participate in the Remittance Provider Class Action with Mitry Lawyers and you do not either:

- (a) register to participate in the Remittance Provider Class Action by completing the attached “Registration Form – Remittance Provider Class Action” and mailing it to Mitry Lawyers at the address shown on the form; or**



- (b) **complete and return to the Registrar of the Federal Court of Australia an “Out Notice” form,**

by 4.00 pm on 19 December 2014, you will remain a class member for all purposes, and will be bound by any resolution in the Remittance Provider Class Action, but, subject to further order of the Court, will not be entitled to participate in the distribution of any future amount agreed in settlement of the Remittance Provider Class Action.

10. Where can you obtain copies of relevant documents?

Copies of relevant documents, including the Amended Originating Application, the Amended Statement of Claim and the orders of the Court regarding this Notice may be obtained by downloading them from:

- (a) the website of the Federal Court of Australia (<http://www.fedcourt.gov.au/case-management-services/class-actions>); or
- (b) the website of Mitry Lawyers (<http://www.mitry.com.au>).

Please consider the above matters carefully. If there is anything of which you are unsure, you should contact Mitry Lawyers on + 61 2 9222 2833 or seek your own legal advice.

You should not delay in making your decision.



Registration Form – Remittance Provider Class Action

IMPORTANT NOTICE:

- **If you wish to register to participate in the Remittance Provider Class Action, and have not previously registered to participate, you can register by completing and mailing this form.**
- **If you wish to register by completing and mailing this form, please ensure that the details referred to below are completed, and that the completed form is mailed to**

Mitry Lawyers , Liberty Place, 161-167 Castlereagh St, Sydney NSW 2000

- **in sufficient time for it to be delivered to that address by 4.00 pm on 19 December 2014. If your completed form is not received by that time, you may not be eligible to participate in any future settlement of the Remittance Provider Class Action.**

1. Name of Remittance Business

.....
(Company Name) ACN/ABN

2. Name of Person Lodging Form

.....
(Mr / Mrs / Ms, etc) Full Name

.....
(Position)

3. Contact Information

Mailing Address (include state and postcode):

.....

Telephone No:

Email Address:

4. Name of Account-Holder(s) (This is the name of the person(s) or entity(ies) in which the account was held, and whose name(s) appeared on the account statements.)

.....

5. Date of XYLO Registration (This is the date on which you or a representative of the remittance business registered with Westpac to use the XYLO Foreign Exchange Platform).

.....

6. Date of closure notification (This is the date on which you or the remittance business received notice in writing from Westpac that the bank accounts of the remittance business were going to be closed).

Date notice received.....

Period of notice.....

Date extension received (if any)

Period of extension:

YOU MUST PROVIDE YOUR ACCOUNT NUMBERS IN THE TABLE ON THE REVERSE OF THIS FORM TO REGISTER



7. Account Numbers

Account Number (please include BSB number)	Account Type



Form 21

Rule 9.34

Opt out notice

NSD 1222 of 2014

Federal Court of Australia
District Registry: New South Wales
Division: General

SYDNEY FOREX PTY LTD (ACN 111 743 750)

Plaintiff

WESTPAC BANKING CORPORATION (ACN 007 457 141)

Defendant

To: The Registrar
Federal Court of Australia
New South Wales District Registry
Law Courts Building
184 Phillip Street, Sydney NSW 2000

..... (insert name), a group member in this representative proceeding, gives notice under section 33J of the *Federal Court of Australia Act 1976*, that I am opting out of the representative proceeding.

Date:

.....
Signed by (insert name)
Group Member / Lawyer for the Group Member

.....
Filed on behalf of (name & role of party) _____
Prepared by (name of person/lawyer) _____
Law firm (if applicable) _____
Tel _____ Fax _____
Email _____
Address for service
(include state and postcode) _____