

# Agency Agreement

**Date:**

**Parties:**

Mr Julien Vincent of 312 Smith St, Collingwood, Victoria 3066 (**Agent**)

Mr William van de Pol of 312 Smith St, Collingwood, Victoria 3066 (**Agent**)

Ms Rachel Deans of 312 Smith St, Collingwood, Victoria 3066 (**Agent**)

Mr Edoardo Riario Sforza of 312 Smith St, Collingwood, Victoria 3066 (**Agent**)

\_\_\_\_\_ (**Member**)

## Member information

At the date of this Agreement the Member holds at least one ordinary share of:

- [Name of relevant company or companies]

Holder Identification Number (HIN): \_\_\_\_\_

or

Shareholder Reference Number (SRN): \_\_\_\_\_

## Signing party

Name of person accepting this Agreement: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

## Terms of Agreement

1. The Member authorises each Agent to sign and lodge on behalf of the Member, as the Member's agent, notice of resolutions and statements in support of the resolutions for Annual General Meetings (**AGMs**) to be held during the 2021 calendar year for the company named above, in which the Member holds at least one ordinary share and is entitled to vote at that AGM.
2. The resolutions and statements are available at the Market Forces website ([www.marketforces.org.au](http://www.marketforces.org.au)) and were made available during the online acceptance process.
3. In this Agreement the singular includes the plural and vice versa.
4. The Member:
  - a. Understands the resolutions;
  - b. Believes the resolutions to be in the Member's best interests;
  - c. Proposes to move the resolutions at a general meeting and authorises the Agent to do so on behalf of the Member;

- d. Wishes to give the company notice of the resolutions and authorises the Agent to do so; and
  - e. Authorises the Agent to do any other act deemed necessary by the Agent to satisfy the requirements of section 249N of the Corporations Act with respect to the resolutions.
5. The Member requests the company to give all the company's members a statement provided by the Member about the resolutions or any other matter that may be properly considered at a general meeting. The Member authorises the Agent to make that request on the Member's behalf. The Member authorises the Agent to do any other act deemed necessary by the Agent to satisfy the requirements of section 249P of the Corporations Act with respect to resolutions and statements.
  6. The Member authorises the Agent to amend, withdraw or otherwise vary resolutions and statements in accordance with the Agent's judgment and the goal of achieving the best outcome in the Member's best interest. The Agent may negotiate with the company about the resolutions and supporting statements. The Agent may elect not to give notice of the resolutions and not to request the company give all its members a statement about the resolutions.
  7. This Agreement is valid from the time it was accepted online.
  8. The Member will notify the Agent in writing as soon as practicable if the Member ceases to hold at least one ordinary share in the company prior to its 2021 AGM.
  9. The Agent or the Member can terminate this agreement at any time in writing. However in the event of termination this Agreement will remain valid for any authorised actions relating to the resolutions and supporting statements prior to termination.
  10. By entering into this Agreement the Member understands that the Agent is acting in their employment with Market Forces, an affiliate project of Friends of the Earth Australia. The Member benefits from the Agent's expertise in seeking to improve the company in the Member's best interests. In exchange the Agent via this Agreement supports Market Forces' objectives to improve the company.
  11. The Member acknowledges that the Agent:
    - a. May provide information about the Member provided in this Agreement to the company, including this Agreement itself, upon lodging any resolution or supporting statement on behalf of the Member; and
    - b. May seek additional information from the Member (or signing party) to verify the Member's shareholdings in the company, if reasonably required to do so by the company or share register.
  12. The Agent will otherwise seek to maintain confidential the information provided by the Member and (if relevant) the Member's duly authorised representative in accordance with Market Forces' privacy obligations.
  13. The Member and Agent expect the company or share register to rely on this Agreement and any relevant electronic communications as conclusive evidence that:
    - a. This agency Agreement has come into effect;
    - b. This agency Agreement has not been revoked; and
    - c. The right or power being exercised or being purported to be exercised is properly exercised and authorised.
  14. By accepting this Agreement you confirm/agree:
    - a. You are the Member, or you are otherwise duly authorised to act on behalf of the Member named above;

- b. You have read, understood and agreed to propose the resolutions;
- c. You are entering into a legally binding agency agreement;
- d. You have read, understood and accepted the terms of this Agreement by this electronic method and agree to receiving electronic correspondence from Market Forces;
- e. This electronic acceptance has the same effect as if you had signed a hard copy version of the agency Agreement; and
- f. You expressly consent to this method of acceptance in accordance with s 9(1) of the *Electronic Transactions (Victoria) Act 2000* or other state equivalents.

Agreed to by or on behalf of the **Member** by

\_\_\_\_\_

Date: \_\_\_\_\_

Agreed to by **Agent**

**Julien Vincent, Market Forces**

Date:

Agreed to by **Agent**

**William van de Pol, Market Forces**

Date:

Agreed to by **Agent**

**Rachel Deans, Market Forces**

Date:

Agreed to by **Agent**

**Edoardo Riario Sforza, Market Forces**

Date: