



Australian Government

Australian Taxation Office

Register of Foreign Ownership of Water Entitlements

Report of registrations as at 30 June 2018

Contents

Introduction	3
Methodology	4
Summary of key findings	5
Findings	6
Table 1: Proportion of Australian water entitlement with a level of foreign ownership - Volume	6
Table 2: Australian water entitlement by state/territory and resource	7
Table 3: Murray-Darling Basin water entitlement on issue	8
Table 4: Australian water entitlement by flow control – Surface water	9
Chart 1: Foreign interests in Australian water entitlements by use	10
Chart 2: Foreign interests in Australian water entitlements by use – state/territory	11
Table 5: Foreign held water entitlement by type	12
Table 6: Foreign held water entitlement by country - Top 10	13
Attachment A: Background	15
Attachment B: Definitions	17
Attachment C: Methodological Caveats	19
Attachment D: Water entitlement forms	20

Introduction

The Register of Foreign Ownership of Water Entitlements (the Register) was established to provide greater transparency about the level of foreign ownership of Australia's water entitlements.

The Commissioner of Taxation reports annually to the Treasurer on the operation of the *Register of Foreign Ownership of Water or Agricultural Land Act 2015* (the Act) and is required to publish aggregate statistics of foreign ownership each year. This is the first report of the Register and includes water entitlements registrations received from foreign persons between 1 July 2017 and 31 July 2018 for water entitlements held to 30 June 2018¹.

From 1 July 2017, foreign persons are required to register their interests in registrable water entitlements and contractual water rights with the Australian Tax Office (ATO) within 30 days of the end of a financial year. Further information can be found in [Attachment A](#) and [Attachment D](#).

A stocktake was conducted between 1 July 2017 and 31 November 2017 to enable existing foreign persons to register their holdings in water entitlements. During this time, the ATO used data matching to contact investors who may have met the definition of a foreign person and who held Australian land that may also have water entitlements. State and territory websites published articles encouraging registrations as did other water management service providers (such as irrigation infrastructure operators and regional water management organisations).

The Register collects details about the foreign person, including name and contact details; country of incorporation where the registrant is an entity; or nationality, passport and visa details where the registrant is an individual.

The ATO is required to report on data from the Register in aggregated format only. Consistent with the principles applied in Australia's broader foreign investment regime, the details of investors are not made publicly available. The taxation law also restricts the release of information which could identify, or be used to identify, an individual or entity.

Foreign persons need to register their interests in a registrable water entitlement or a contractual water right. Refer to [Attachment B](#) for definitions of registrable water entitlement and contractual water right.

¹ As registrants have 30 days after the end of a financial year to update the register, the amalgamation of the Water Report will include all registrations up to 31 July each year for water entitlements issued up to 30 June.

Methodology

The statistics in this report need to be interpreted in conjunction with the information about the methodologies used, provided in [Attachment C](#).

Figures in the tables have been rounded. Any discrepancies in the tables between totals and sums of components are due to rounding.

To calculate the proportion of foreign interests in water entitlements, a benchmark measure of the total water entitlements on issue in Australia is used. The benchmark is taken from the Bureau of Meteorology's ('BOM') Water Market Dashboard² which collates Australian water entitlements on issue.

Water rights issued by non-water state authorities are not captured by the BOM Water Market Dashboard. However, many of these rights issued by non-water state authorities are issued with zero volumes and only within Queensland and the Northern Territory. The amount attributed in the Register to these water rights issued by non-water state authorities is 23 gigalitres (GL). This figure is included in the tables in this report which may result in a very slight overstatement of the level of foreign ownership.

There are various approaches to water resource management across the states and territories and as such data collected by the Register is not consistent across those jurisdictions. In particular, certain water licences are issued which give a volumetric limit (maximum amount of water which can be taken) where other water entitlements are issued with a nominal volume which is an average of the amount of water that may be taken in a given period. The Register captures either volumetric limit or nominal volume according to what is issued on the individual entitlement. The registrations which use volumetric limit cannot be identified in the Register and the BOM Water Market Dashboard only captures entitlements issued with volumetric limit. This difference will result in an overstatement of the overall level of foreign ownership when compared to the total Australian water entitlements on issue (see **Table 1**).

There is a total of 5.5 GL of water entitlements which are flagged as contractual rights (leases) held by foreign persons which are also water entitlements held by different foreign persons. This figure is not included in the tables as it would double count the water held by foreign entities.

The Register captures entities with foreign ownership of 20 per cent share or more, which means there may be a significant portion of Australian equity in the same water entitlement. Due to this, the share of Australian investors' equity in a water entitlement is captured by the Register along with the share of foreign investor equity. **Tables 1 to 5** and **charts 1 and 2** report on the total water entitlements on issue in the Register regardless of the split of equity held. **Table 6** shows the split of foreign and Australian equity in the water entitlements on issue in the Register to indicate the level of Australian equity within the Register.

Acknowledgements

This report was developed in consultation with the Department of Agriculture and Water Resources and uses information from the BOM – Water information³ and the Murray-Darling Basin Authority⁴ websites.

² BOM website. Water markets dashboard 'Entitlement on issue summary – Australia.' <http://www.bom.gov.au/water/dashboards/#/water-markets/national/state/eoi>.

³ BOM website. Water information. <http://www.bom.gov.au/water/index.shtml>.

⁴ Murray-Darling Basin Authority website. <https://www.mdba.gov.au>.

Summary of key findings

The total volume of water entitlements across Australia with a level of foreign ownership (foreign held) is 4,035 GL as at 30 June 2018.

Based on comparisons with BOM data, the estimated proportion of water entitlement (which includes groundwater and surface water entitlement) with a level of foreign ownership (foreign held) is 10.4 per cent at 30 June 2018.⁵ Key findings on a national basis include:

- › The greatest usages of foreign held water entitlement are for agriculture (66.5 per cent) and mining (26.3 per cent)
- › Less than 6 per cent of foreign held water entitlement are leases (contractual right)
- › Less than 3 per cent of foreign held water entitlement are irrigation rights which are issued by irrigation infrastructure operators⁶
- › China and the United States are the largest foreign water entitlement holders, each with 1.9 per cent of total water entitlement, followed by the United Kingdom with 1.1 per cent
- › Over 1,800 GL of foreign held water entitlement is within the Murray-Darling Basin which is 9.4 per cent of the total Murray-Darling Basin water entitlement on issue. The Murray-Darling Basin in turn has just over 51 percent of the total water entitlement (surface and groundwater) on issue in Australia
- › Over 81 per cent of foreign held water entitlement is held within Australian incorporated entities.

Key findings on a state and territory basis include:

- › New South Wales/ACT have the greatest amount of foreign held interest in water entitlement on issue by volume with 1,306 GL
- › Queensland has the next largest portion by volume with 1,219 GL
- › Western Australia has the third largest amount of foreign held interest with 995 GL
- › The remaining states all have individual totals under 250 GL.

⁵ As registrants have 30 days after the end of a financial year to update the register the amalgamation of the Water Report will include all registrations up to 31 July each year for water entitlements issued up to 30 June.

⁶ An Irrigation Infrastructure Organisation (IIO) is an entity which operates for the purposes of delivering water for irrigation (*Water Act 2007*, s7(4)).

Findings

Table 1: Proportion of Australian water entitlement with a level of foreign ownership - Volume

State/ territory	Foreign held water entitlement (GL)	Total water entitlement on issue ⁷ (GL)	Proportion of total water entitlement on issue with a level of foreign ownership (%)
New South Wales/ACT	1,306	14,971	8.7
Northern Territory	19	572	3.3
Queensland	1,219	6,631	18.4
South Australia	192	2,751	7.0
Tasmania	98	2,284	4.3
Victoria	205	7,621	2.7
Western Australia	995	3,844	25.9
Total	4,035	38,674	10.4

Commentary:

The BOM is required to collect, manage and disseminate Australia's water information under the *Water Act 2007* and publishes details of Australian water entitlements on issue annually in the Water Markets Dashboard on its website. The ATO uses this information to determine the percentage of Australian water entitlements on issue which have a level of foreign ownership.

Zero volume

There were 673 registrations of water entitlements with a reported volume of zero. Of these, 267 were issued for gas and petroleum or mining exploration licences. Exploration licences can be granted for a specific term and allow the water entitlement holder to take and use water which might be found during exploration activities. Where the quantity of water which may be uncovered during exploration is unknown, a zero amount is stated in the registration.

Other reasons why registrants would declare a zero volume are: water monitoring bores, water search bores, water supply works and water licences from unregulated systems which are monitored by flow and volume used.

⁷ BOM website. Water Markets Dashboard. 'Entitlements on issue summary – Australia.' <http://www.bom.gov.au/water/dashboards/#/water-markets/national/state/eoi>.

Table 2: Australian water entitlement by state/territory and resource

Resource	Foreign held water entitlement (GL)	Total water entitlement on issue (GL)	Proportion of total water entitlement on issue with a level of foreign ownership (%)
New South Wales/ACT			
Groundwater	344	1,951	17.6
Surface water	963	13,020	7.4
Northern Territory			
Groundwater	19	305	6.2
Surface water	-	267	0
Queensland			
Groundwater	115	1,010	11.4
Surface water	1,085	5,621	19.3
Undefined	19	NA	NA
South Australia			
Groundwater	181	1,558	11.6
Surface water	12	1,193	1.0
Tasmania			
Groundwater	1	20	5.0
Surface water	97	2,264	4.3
Victoria			
Groundwater	21	923	2.3
Surface water	184	6,698	2.7
Western Australia			
Groundwater	961	2,833	33.9
Surface water	34	1,011	3.4
Undefined	1	NA	NA
Totals			
Groundwater	1,641	8,601	19.1
Surface water	2,374	30,073	7.9
Undefined	20	NA	NA
Grand Total	4,035	38,674	10.4

Commentary:

Groundwater is a major source of water for agriculture, mining and industry across Australia and in some regions is the only reliable source of water. Surface water is a significant contributor to agriculture and other uses particularly in eastern Australia where topography and river systems have facilitated the development of agriculture and industries.

Undefined resources stem from water entitlements issued by non-water state authorities or are mining exploration licenses from which water resources cannot be identified on issue of the water entitlement.

Table 3: Murray-Darling Basin water entitlement on issue

Murray-Darling Basin (MDB)	Foreign held water entitlement (GL)	Total water entitlement on issue - MDB ⁸ (GL)	Proportion of total water entitlement on issue -MDB with a level of foreign ownership (%)
Surface water			
Northern MDB	882	4,020	21.9
Southern MDB	738	13,354	5.5
Groundwater			
Northern MDB	9		
Southern MDB	140	2,399 ⁹	9.6
MDB – Unknown	83		
Total	1,852	19,773	9.4

Commentary:

The Murray-Darling Basin contributes to the majority of irrigated agriculture in Australia—around 40 percent of agriculture generally (dryland and irrigated)—and covers two of the longest rivers in Australia, the Murray and Darling Rivers. The Murray-Darling Basin comprises slightly more than 51 percent of the total volume of Australian water entitlement on issue (surface and groundwater) and covers more than one million square kilometres.

The data in **Table 3** was split between Northern and Southern MDB according to the self-declared water system on registrations which were then mapped into the MDB. These water systems are not always a direct match to the Murray-Darling Basin water resource plans. This information is for illustrative purposes only and care should be taken when comparing data from this table to other sources. Information from the BOM was used to determine segments.¹⁰

Note that Lachlan surface water is included in Southern MDB – Surface water figures. Registrations which have groundwater systems as “Lachlan” and “Barwon” have been flagged as unknown as these are categorised in both Southern and Northern MDB groundwater and the Register does not have the information to determine in which segment of the MDB these registrations should be assigned.

⁸ BOM website. Water Markets Dashboard. ‘Entitlements on issue summary – Murray-Darling Basin’. <http://www.bom.gov.au/water/dashboards/#/water-markets/mdb/eoi>.

⁹ Data is not available from the BOM regarding the split by segment of groundwater entitlement on issue. This figure represents total groundwater on issue in the MDB (i.e. Northern and Southern)

¹⁰ BOM website. Murray-Darling Basin – Physical information. <http://www.bom.gov.au/water/nwa/2011/mdb/index.shtml>.

Table 4: Australian water entitlement by flow control¹¹ – Surface water

Flow control	Foreign held water entitlement (GL)	Total water entitlement on issue (GL)	Proportion of total water entitlement on issue with a level of foreign ownership (%)
Regulated	2,002	19,863	10.1
Unregulated	249	10,210	2.4
NA or not specified	123	-	-
Total	2,374	30,073	7.9

Commentary:

This table uses the BOM's Water Market Dashboard for the breakdown of regulated and unregulated water. The dashboard only includes a breakdown of regulated and unregulated flow control for surface water.

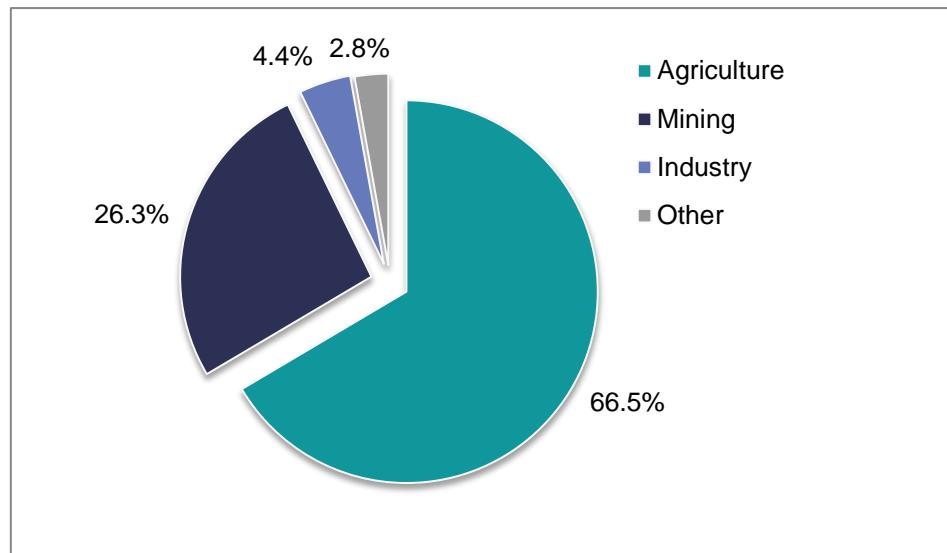
The majority of regulated water comes from the southern Murray-Darling Basin in the south eastern part of Australia.

¹¹ Flow control indicates whether surface water entitlement is controlled through the use of infrastructure to store and release water. (BOM website. Australian Water Information Dictionary: <http://www.bom.gov.au/water/awid/product-water-status-water-market-reports.shtml>).

Chart 1: Foreign interests in Australian water entitlements by use

The Register collects information about the use of water as self-reported by the registrant. There were 14 different usages which have been grouped into four categories for the purpose of this report. The four categories are:

- › Agriculture which contains crops, forestry, horticulture and stock usages
- › Mining
- › Industry which contains construction, energy, industry, manufacturing and transport usages
- › Other category which contains tourism, trade, other and research usages.

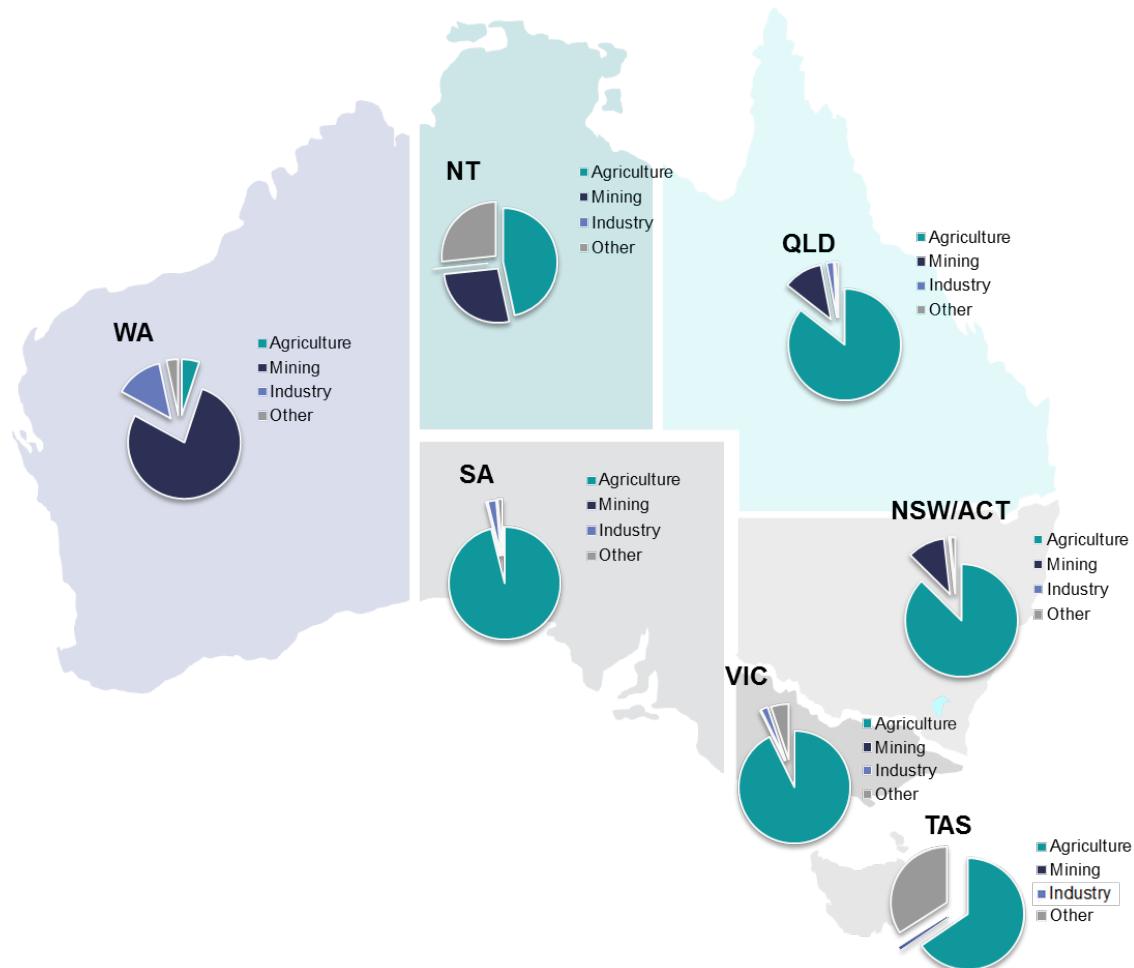


Commentary:

Registrants were asked to declare the usage of water entitlements and they could choose a selection of usages. Where registrants chose the “Other” category, the ATO investigated the registered entitlement and, where it was able to determine a more appropriate category (e.g. Agriculture), updated the Register. Otherwise, the Register and the data in the chart above reflect the choice made by the registrant and should only be used as an indication of water usage.

Some water usage does not fit within a particular category and registrants have appropriately listed the use as ‘Other’. This includes water supply to townships for mining company employees, water used for dairy farm activities and pasture irrigation for stock feed. It should also be noted that not all industries need to hold rights to water. Food processing and other water-using industries located in or near cities and towns are likely to source their water requirements through town supply and services. Conversely, manufacturing and processing industries such as wineries which are located in rural and remote regions are likely to hold rights to water required for their operation.

Chart 2: Foreign interests in Australian water entitlements by use – state/territory



Commentary:

Consistent with Chart 1, the main use for foreign held water entitlement in most states is agriculture, with the exception of Western Australia, where the majority of foreign held water use is in mining. Percentages of the main use in each state or territory is listed below:

- › New South Wales/ACT: 87% agriculture
- › Northern Territory: 47% agriculture
- › Queensland: 86% agriculture
- › South Australia: 96% agriculture
- › Tasmania: 65% agriculture
- › Victoria: 93% agriculture
- › Western Australia: 78% mining

Table 5: Foreign held water entitlement by type

Foreign held water entitlement (GL)				
State/territory	Irrigation right	Lease (contractual right)	Water Access Entitlement	Total
New South Wales/ACT	97	80	1,129	1,306
Northern Territory	-	-	19	19
Queensland	1	24	1,194	1,219
South Australia	1	1	190	192
Tasmania	2	1	95	98
Victoria	17	-	188	205
Western Australia	8	136	852	996
Total	126	242	3,667	4,035

Commentary:

An irrigation right is a right a person has against an irrigation infrastructure operator to receive water. While this may be similar to a lease (contractual right) as a contract may be involved, a lease is a right that a person holds to another person's water entitlement (other than an irrigation infrastructure operator).

A water access entitlement is an ongoing entitlement to a share of water from a resource plan or other water management area.

Table 6: Foreign held water entitlement by country - Top 10

Country	Foreign held water entitlement (GL)	Foreign held water as a proportion of total water entitlement on issue (%)
China	732	1.9
United States of America	720	1.9
United Kingdom	411	1.1
Canada	212	0.5
Singapore	172	0.4
France	139	0.4
Switzerland	136	0.4
Belgium	102	0.3
New Zealand	100	0.3
Netherlands	92	0.2
Total for top 10 countries	2,815	8.2
Total for all foreign countries¹²	3,371	9.1
Australian owned portion of water in Register	664	NA
Total including Australian owned portion	4,035	10.4

Commentary:

In the ‘*Foreign held water as a proportion of total water...*’ column of **Table 6**, the amount of registered water entitlements held by the entity or trust is apportioned according to the interest held by that foreign investor. The Australian portion is separated out and is indicated in the bottom row of **Table 6**. See ‘*Background information...*’ below for further details on how source country is defined.

The main usage of water entitlements for each country in the top 10 is determined by using the largest water usage proportion in the Register for that country. Where the percentage is close to a 50/50 split, more than one usage is given for that country.

The main usages for foreign held water entitlements of the top 10 countries above are:

- › Agriculture: China, United States of America, Canada, Singapore, Belgium, New Zealand and Netherlands
- › Industry: France
- › Mining: United Kingdom, Switzerland and Belgium

¹² Excludes Australian portion of ownership.

Background information on obtaining source country information

As part of the registration information, entities and trusts are required to provide their country of nationality. Source country information has been verified using information provided by registrants, ATO data sources and manual data collection.

Where the registered owner is an individual, the nationality of the person reported in their registration is treated as the source country. Where the registered owner is a company or trust, the nationality of the beneficial owner is used to determine the source country. Where the beneficial owner is identified as an Australian citizen who is not ordinarily resident in Australia (and hence a foreign person), the source country has been allocated to the country they are ordinarily resident in. The beneficial owner is determined by using resources within ATO and other agencies such as Department of Immigration and Border Protection and ASIC. Where shares or interests are widely held for companies or trusts, the water entitlement held is attributed to a source country based on the location of the directors or the country where the entity (or trustee) is headquartered or publicly listed depending on information available.

In the '*Foreign held water as a proportion of total water...*' column of **Table 6**, the volume of the water entitlements held by an entity or trust is apportioned according to the interest held by that foreign investor with the portion of Australian equity in that entity removed.

For example, Crops Partners, a foreign person, is ultimately owned by United Kingdom investors (30 per cent) and Australian investors (70 per cent). Crops Partners has a water entitlement of 200 GL. This ownership would be reflected in **Table 6** with 60 GL of water entitlement apportioned to the United Kingdom (which represents 30 per cent) and 140 GL to Australia (representing the remaining 70 per cent).

This is done to illustrate that an entity, which is considered a 'foreign person' and which registers their interest in Australian water entitlements, may also have a significant level of Australian ownership.

The attribution of a source country to foreign held interests may continue to evolve as new information on beneficial ownership comes to light.

Attachment A: Background

In 2015, as part of the foreign investment reforms, the Government:

- › agreed to introduce and pass legislation to establish a Register of Foreign Ownership of Water by 1 December 2016; and
- › included a sunset clause for the introduction of a Register of Foreign Ownership of Water in the *Register of Foreign Ownership of Agricultural Land Act 2015* (assented to on 25 November 2015).

Consultation occurred during 2016, with the Government establishing a whole of government working group jointly led by the Treasury and the Department of Agriculture and Water Resources. The group included representatives from the Department of the Prime Minister and Cabinet, the ATO, the Bureau of Meteorology and the Australian Bureau of Statistics. The Government also sought views from interested stakeholders on the implementation of the Register of Foreign Ownership of Water.

The working group also consulted state and territory governments on implementation of a Register of Foreign Ownership of Water, including on how it may interact with existing water rights registration systems and the Register of Foreign Ownership of Agricultural Land. The *Register of Foreign Ownership of Agricultural Land Amendment (Water) Act 2016* was subsequently passed (assented to on 7 December 2016) and the Register established.

While the Commonwealth has an interest in foreign investment and the management of Australia's water resources, state and territory governments have primary responsibility for managing water resources which includes: allocating water among users, water licensing, water extraction conditions, water processing (including buying and selling conditions) and water monitoring.

Currently, foreign acquisitions of interests in water are not directly screened under Australia's foreign investment screening framework, but may be part of other types of investments that are screened. As interests in water are often attached to agricultural land, or are assets of Australian businesses, such acquisitions may be screened through the agricultural land screening requirements, or through the acquisition of securities or business assets.

When assessing the national interest in relation foreign acquisitions in the agricultural sector, the Government considers a range of factors including agricultural productivity and reliability of agricultural production, biodiversity and environmental issues, and the prosperity of local and regional communities.

The ATO developed a self-registration online form prior to the commencement of the stocktake period on 1 July 2017. The stocktake period ended on 30 November 2017.

From 1 July 2017, foreign persons have been required to register their interests in registrable water entitlements and contractual water rights, and certain changes in those interests, with the ATO.

A foreign person may register at any time during the year (for example, when the event occurs), but no later than 30 days after the end of the financial year in which the event occurred.

A foreign person needs to register their interest in a registrable water entitlement or a contractual water right, when:

- › they acquire a registrable water entitlement or contractual water right under a contract where the term of the contract is likely to exceed five years after the person starts to hold the right; or

- › they become a foreign person while holding a registrable water entitlement or contractual water right under a contract where the term of the contract is likely to exceed five years after the later of the person becoming a foreign person or the time the person started to hold the interest.

A foreign person needs to update their existing registration when:

- › they dispose of the registrable water entitlement or contractual water right;
- › they stop being a foreign person; or
- › the volume of their registrable water entitlement or contractual water right changes.

Attachment B: Definitions

This attachment provides information on the definitions as detailed in the *Register of Foreign Ownership of Water or Agricultural Land Act 2015* and *Register of Foreign Ownership of Water or Agricultural Land Rules 2017*.

'contractual water right'

A 'contractual water right' is defined as a contractual right (including a deed) that a person or other entity holds (alone or jointly) to another person's 'registerable water entitlement'.

A contract between an irrigator and an 'irrigation infrastructure operator' for a volume of water is an irrigation right and not a 'contractual water right' even though a contract might be involved. The 'contractual water right' is intended to include only those entitlements which are leased or otherwise obtained from a person other than an 'irrigation infrastructure operator' who holds that water entitlement.

'conveyance water'

The volume of water that can be attributed to 'conveyance water' is the additional water that is required to deliver water to users, and includes water lost in transit from its source to end users due to seepage, leakage, evaporation or other similar effects.

Note that the exemption for 'conveyance water' is only available to 'irrigation infrastructure operators', not to individual entitlement holders.

'foreign person'

The term 'foreign person' is defined in section 4 of the Act. It states that the term has the same meaning as 'foreign person' as defined in section 4 of the *Foreign Acquisitions and Takeovers Act 1975*.

In general, a 'foreign person' is:

- › an individual not ordinarily resident in Australia¹³; or
- › a foreign government or foreign government investor; or
- › a corporation, trustee of a trust or general partner of a limited partnership where an individual not ordinarily resident in Australia, a foreign corporation or a foreign government holds a substantial interest of at least 20 per cent; or
- › a corporation, trustee of a trust or general partner of a limited partnership in which two or more foreign persons hold an aggregate substantial interest of at least 40 per cent.

'irrigation infrastructure operator'

An 'irrigation infrastructure operator' is an entity which operates for the purposes of delivering water for irrigation (*Water Act 2007*, s7(4)).

An 'irrigation infrastructure operator' will only be required to register water holdings and interests where the 'irrigation infrastructure operator' meets the definition of a 'foreign person', the 'irrigation infrastructure operator' holds entitlements to water (or portions of entitlements) that are not subject to irrigation rights, or the 'irrigation infrastructure operator' holds entitlements to water (or portions of entitlements) that are not 'conveyance water'.

¹³ As defined in section 5 of the *Foreign Acquisitions and Takeovers Act 1975*.

'registerable water entitlement'

A 'registerable water entitlement' is:

- › an irrigation right – which is a right a person has against an 'irrigation infrastructure operator' to receive water (but excludes a water access right or a water delivery right)
- › a right (including an Australian water access entitlement) conferred by or under a law of a state or territory to do either or both of the following:
 - to hold water from a water resource in Australia
 - to take water from a water resource in Australia.

A water entitlement given to an irrigator by an 'irrigation infrastructure operator' is considered an irrigation right and so is a registerable water entitlement.

Exclusions

The following types of water rights will be excluded from the definition of a 'registerable water entitlement':

- › stock and domestic rights, and harvestable rights used for stock and domestic purposes
- › riparian rights
- › annual water allocations
- › rights held by an 'irrigation infrastructure operator' to the extent that either another person holds an irrigation right in relation to that right, or they are for 'conveyance water'.

Attachment C: Methodological Caveats

This is an overview of the main methodological caveats that apply to the data in this report.

- > Data was extracted from the Register on 31 July 2018 as registrants have 30 days after the end of each financial year to register movements in their water entitlement for the previous financial year. This is designed to reduce the administrative overhead for foreign persons who have an ongoing obligation to maintain records on the Register.
- > Some registrations have been altered in accordance with section 16 of the Act when it has been determined via data matching or manual data collection that the registrant has provided incorrect information. The validation of registrations is an ongoing exercise, with information validated using third party data sources and manual data collection.
- > Registrants were prompted to enter the volume of water entitlements in mega litres. The ATO has vetted each registration to ensure the registrant has entered correct volumes into the Register.
- > Entities and trusts were required to report their country of incorporation and the nationality of the owner. However, this is not necessarily a reflection of the foreign source country of the investor. Source country information has been obtained using information provided by registrants, ATO data sources and manual data collection. In some cases, the nationality or country of incorporation of a nominal investor may have been registered, rather than the nationality or country of incorporation of the ultimate beneficial owner.
- > In some instances, the same water entitlement has been registered twice - by a foreign person with the original water entitlement issued and by another foreign person with either a contractual or irrigation right. These 'duplicates' have been removed from the tables in the report.
- > Registrants are not required to identify the basin in which the water entitlement is managed. Water systems on the registration form have been taken from state/territory data. Mapping the water system to the Murray-Darling Basin was done by identifying water systems within the Murray-Darling Basin and assigning whether it is Northern region, Southern region or Groundwater. As this is a manual process, care should be taken in using the Murray-Darling Basin data.
- > Usage is determined by the registrant and more than one category of usage can be chosen during registration. Where a registrant chooses "Other", the ATO has investigated and assigned to a different category where appropriate.

Attachment D: Water entitlement forms

Each registrant must complete the following fields:

- > Name
- > Position
- > Address
- > Mobile/cell number
- > Contact email

Reason for registration

- > Acquisition of water entitlement
- > Cease to hold water entitlement
- > Change in status: To foreign person
- > Change in status: From foreign person
- > Change in details: (change in volume)

Entity/ownership details

- > Name
- > Country of incorporation (where registrant is a trust or company)
- > Address
- > Date of birth/nationality (where registrant is an individual)
- > Contact details
- > Mobile/cell number
- > Contact email

These fields are voluntary fields as they do not apply to each registrant:

- > Visa and passport details
- > ABN/ACN/ABRN/other client identifier
- > Trading name
- > FIRB approval number

Water details

- > Water entitlement type (Water Access Entitlement, Irrigation Right, Contractual Right, Water Access Right)
- > Issuing entity type (state water or non-water state authority, IIO, 3rd party)
- > Issuing entity name
- > State/territory
- > Entitlement identifier

- > Issue date
- > Water system
- > Resource type
- > Flow control
- > Reliability
- > Volume (ML)
- > Term of Lease (if applicable)
- > Lease end date (if applicable)
- > Percentage of ownership
- > Sector/usage details

