










**MID WEST  
LAWYERS**  
Commercial + Litigation



# AGRIBUSINESS CAPABILITY STATEMENT

## ABOUT US




-  Independent commercial law firm with offices in Geraldton and Perth
-  Senior lawyers offering a combined 65 years of legal experience
-  Practical advice in a professional and timely manner
-  Client relationships built on trust
-  Unfettered access to senior lawyers
-  Direct and ongoing partner level involvement for each client
-  Utilise the best information technology available to maintain high levels of efficiency and confidentiality

## AGRIBUSINESS LEGAL AWARDS

- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2022” (Top 6)
- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2021” (Top 5)
- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2020” (Top 4)
- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2019” (Top 4)
- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2018” (Top 4)
- ✓ Ranked as a “Leading Agribusiness Law Firm – Western Australia, 2017” (Top 5)

## QUALITY PRACTICE STANDARD

We are part of a select group of law firms which has been awarded the Quality Practice Standard by the Law Society of Western Australia. As a result, we are able to better serve our clients by:

-  Adopting modern quality management principles;
-  Focusing on clients’ requirements and client care; and
-  Striving for consistency of service for all clients by all at the firm.

## EXPERTISE

Over several decades our senior lawyers have advised clients involved in wheat, canola, lupin, wool, beef, dairy, wool, lamb, poultry, piggery, viticulture, forestry and plantation businesses.

Our senior lawyers have strong family connections with pastoralists which allows them to better appreciate the challenges faced in agribusiness.

Our family connection with pastoralists and our strong technical expertise in agribusiness law places Mid West Lawyers in a unique position to advise clients in the agribusiness industry.

We can assist with the following agribusiness matters:

- ☑ Carbon service agreement advice;
- ☑ Windfarm agreement advice;
- ☑ Agribusiness property contracts, agreements and deeds;
- ☑ Sale and purchase of agribusiness and farm assets;
- ☑ Pastoral lease advice;
- ☑ Native Title advice concerning access and compensation agreements;
- ☑ Land access agreements with mining, energy and telecommunications companies;
- ☑ Partnership, trust, corporation and joint venture advice;
- ☑ Farm Leases, Share Farming Agreements and Livestock Management Agreements;
- ☑ Carbon trading advice;
- ☑ Mortgages and securities;
- ☑ Farm succession planning, including Wills, Enduring Powers of Attorney and Guardianship;
- ☑ Employment advice;
- ☑ Deceased estates and probate, including advice concerning family provision claims; and Disputes.



## EXPERIENCE

Our senior lawyers have accumulated a wealth of experience in agribusiness law. Most of our work is subject to confidentiality which prevents us from disclosing any confidential information. However, we are able to disclose that our experience in agribusiness includes:

-  Advising pastoral lease holders and freehold land owners with respect to carbon services agreement, including the reported plan in the West Australian for Australia's biggest carbon farming project.
-  Advising clients with respect to the sale and acquisition of farmland, including due diligence enquiries, preparation and review of contracts for sale, registration of securities and settlement.
-  Advising farmer in relation to the 180-megawatt Warradarge Wind Farm to be constructed on farmland near Eneabba, with a project value of up to AUD500 million and which is recognised as one of the best renewable projects in Australia.
-  Advising pastoral lease holders on the sale and purchase of pastoral leases.
-  Advising client on the termination of a vendor terms agreement for the sale of a farm and the repossession and resale of the farm.
-  Advising numerous clients on various agreements with mining companies, including Royalty Agreements, Exploration Agreements, Land Access Deeds, Leases, Transmission Line Works Agreements, Deeds of Settlement and Release, Easement Deeds and Lay-Down Area Agreements.
-  Advising on Access and Compensation Agreements with native title claimants.
-  Advising client in relation to restructure of farmland and the transfer of the farmland to family members, trusts and a SMSF to qualify for the duties exemption under the Duties Act.
-  Advising client in relation to the settlement of a farming partnership and trust dispute.
-  Advising various farming families / corporate groups in relation to the restructuring of farm assets and exempt family farm transactions under the Duties Act.
-  Advising farmers in relation to estate disputes and claims, including claims in the Supreme Court under the Family Provision Act.





## SENIOR LAWYERS



### **TIM HAYTER (PRINCIPAL)**

Tim has practiced exclusively as a commercial lawyer for over 20 years initially at Perth law firms and since 2009 in Geraldton.

In 2011, Tim established Mid West Lawyers in Geraldton and expanded with the opening of a Perth office in 2017.

Tim has advised on a large number of commercial matters and disputes, particularly in relation to agribusiness, business, property, wills and estates. He has a proven track record of delivering results to clients, especially in relation to more complex commercial transactions and disputes.

Tim has a specific interest in agribusiness, primarily due to his family being involved in agribusiness for several generations.

Ranked by Doyle's Guide as a:

- “Preeminent Agribusiness Lawyer – Western Australia, 2022” (Top 4 in W.A.)
- “Preeminent Agribusiness Lawyer – Western Australia, 2021” (Top 5 in W.A.)
- “Preeminent Agribusiness Lawyer – Western Australia, 2020” (Top 2 in W.A.)
- “Preeminent Agribusiness Lawyer – Western Australia, 2019” (Top 2 in W.A.)
- “Leading Agribusiness Lawyer – Western Australia, 2018” (Top 5 in W.A.)
- “Leading Agribusiness Lawyer – Western Australia, 2017” (Top 7 in W.A.)



### **MIKE HAYTER (CONSULTANT)**

Mike was awarded a Bachelor of Laws from the University of Western Australia in 1973. Since then Mike has been a partner at firms in Geraldton and Fremantle, as well as a principal of firms in Geraldton and Fremantle. In late 2009 Mike and his wife, Liz, made the decision to move back to Geraldton where they had previously lived for approximately 11 years.

Mike has accumulated experience in a wide range of areas in over 45 years of legal practice, particularly in relation to Agribusiness disputes and litigation, which is of great benefit to his clients.



If you have any questions or require any assistance in relation to agribusiness law, please contact us at our Geraldton or Perth office.



### Geraldton Office



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