

Members must note that all superannuation death benefits must be paid to either a dependant or their Legal Personal Representative of their Estate.

A member's SMSF Will can deal with the payment in specie of a member's death benefit. It becomes an operative Rule of the Fund and can only be changed by the member. Advice as to the content and drafting of a member's death benefit nomination, particularly of a SMSF Will should be undertaken by a Legal Practitioner suitably experience in the Superannuation jurisdiction.

Rule 25 - Accessing Member Superannuation Benefits

Where a Member has met a cashing condition, they have access to their superannuation benefits in the form of a Lump Sum or Superannuation Income Stream. Rule 25 outlines the various ways in which a Member and/or their beneficiary in the event of the Member's death can access Member Superannuation Benefits. This can incorporate adding specific instructions for the payment of a death benefit superannuation income stream, as long as the Fund remains a Complying SMSF. For example the creation by a Member of a Conditional Pension, which in circumstances of a blended family where a Member dies and wishes their surviving spouse or partner to receive an income stream from their superannuation death benefit. Any commutation of capital and other rules or requirements surrounding the Conditional Pension are formulated during the member's lifetime and must be paid in accordance with the Conditional Pension documentation.

Advice as to the content and drafting of a member's Conditional Pension should be undertaken by a Legal Practitioner suitably experienced in the Superannuation jurisdiction.

Rule 26 - Guardians for the Fund Members

The appointment of a Fund Member's Guardian is undertaken to allow this party to act as the "Gate Keeper" of the Condition Pension payments. These payments must be approved by the Fund Member's Guardian but such approval cannot be withheld if the payments are in accordance with the terms and conditions of the Conditional Pension.

Advice as to the appointment of a Fund Member's Guardian should be obtained from a Legal Practitioner suitably experienced in the Superannuation jurisdiction.

x *A Jennings*

Alan Frank Jennings

8/4/2019

Date:

For and on behalf of the Fund Trustee

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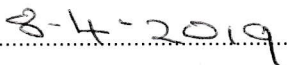
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x 
Dorothy Fay Jennings


Date:

For and on behalf of the Fund Trustee

**Minutes of Meeting to Upgrade the Rules of the
AF & DF Jennings Super Fund**

Date:	8 th April 2019
Attended by:	Dorothy Fay Jennings and Alan Frank Jennings
Held at:	11 Jopejija Cres, Culburra Beach NSW 2540
Chairperson:	Dorothy Fay Jennings was appointed Chairperson of the meeting
Table a Motion to amend the Rules of the Fund:	The Chairperson tabled a motion to amend the governing rules of AF & DF Jennings Super Fund by deed in accordance with Clause 181 of the Rules of the Fund
Trustee's Resolutions:	IT WAS RESOLVED to adopt the amendments to the governing rules by replacing the existing Rules with those Rules ("the New Rules") in the form annexed and marked as "Annexure A" to the Deed
Meeting Closed:	
Signed by the Chairperson:	<p style="text-align: center;">x </p> <p style="text-align: center;">Dorothy Fay Jennings</p>

**DEED OF VARIATION
OF
AF & DF Jennings Super Fund**

THIS DEED IS DATED: the 8th day of April 2019

PARTIES:

Dorothy Fay Jennings of 11 Jopejija Cres, Culburra Beach NSW 2540 and Alan Frank Jennings of 11 Jopejija Cres, Culburra Beach NSW 2540 ("the Trustees")

Dorothy Fay Jennings of 11 Jopejija Cres, Culburra Beach NSW 2540 and Alan Frank Jennings of 11 Jopejija Cres, Culburra Beach NSW 2540 ("the Members")

RECITALS:

- a) Dorothy Fay Jennings and Alan Frank Jennings act as Trustees of AF & DF Jennings Super Fund ("the Fund").
- b) Dorothy Fay Jennings and Alan Frank Jennings are the Members of the Fund ("the Members").
- c) The Fund was established by deed dated 08/02/2008 ("the Original Deed").
- d) The Trustees wish to amend the Deed by substituting in place of the existing Clauses those Rules ("the New Rules") in the form annexed and marked as "Annexure A" to this Deed.
- e) Clause 181 of the Fund's existing Deed allows the Trustees to vary the Deed so long as no amendment will reduce a Member's Benefit (as defined in those Clauses). The purpose of the amendment is to enable the Trustee and the Members to comply with the new superannuation measures by adopting the governing rules as the governing rules of the Fund.
- f) Notwithstanding anything contained in this Deed to the contrary, this Deed does not and shall not:
 - (i) alter the objects of the Fund;
 - (ii) reduce the benefits and entitlements payable to Members;
 - (iii) alter the rights and benefits of existing Members in a manner such that, on the whole, equity between Members is not maintained; or
 - (iv) offend the provisions of any relevant Act or Regulation as they exist, from time to time, or any amendments or variation of any relevant Act or Regulation made after the date of this Deed.

EXECUTED AS A DEED BY:

SIGNED SEALED AND DELIVERED by)
Dorothy Fay Jennings in their capacity as)
Trustee in the presence of:)

) x Dorothy Fay Jennings

Bruce McKinney

Witness

BRUCE ALEXANDER MCKINNEY

Witness Full Name

SIGNED SEALED AND DELIVERED by)
Alan Frank Jennings in their capacity as)
Trustee in the presence of:)

) x A Jennings

Bruce McKinney

Witness

BRUCE ALEXANDER MCKINNEY

Witness Full Name

Executed by Dorothy Fay Jennings in the)
presence of:)

) x Dorothy Fay Jennings

Bruce McKinney

Witness

BRUCE ALEXANDER MCKINNEY

Witness Full Name

Executed by Alan Frank Jennings in the)
presence of:)

) x A Jennings

Bruce McKinney

Witness

BRUCE ALEXANDER MCKINNEY

Witness Full Name