

Trustee declaration

To be completed by new trustees and directors of corporate trustees of self-managed super funds.



Read this declaration in conjunction with *Self-managed super funds – key messages for trustees* (NAT 71128).



WHO SHOULD COMPLETE THIS DECLARATION?

You must complete this declaration if you become a **new** trustee (or director of a corporate trustee) of:

- a **new** self-managed super fund (SMSF)
- an **existing** SMSF.

You must sign this declaration within 21 days of becoming a trustee or director of a corporate trustee of an SMSF.

A separate declaration is required to be completed and signed by each and every new trustee (or director of a corporate trustee).

You must also complete the declaration if you are a legal personal representative who has been appointed as trustee (or director of a corporate trustee) on behalf of a:

- member who is under a legal disability (usually a member under 18 years old)
- member for whom you hold an enduring power of attorney
- deceased member.

INFORMATION YOU NEED TO READ

Make sure you read *Self-managed super funds – key messages for trustees* (NAT 71128). It highlights some of the key points from the declaration and some important messages for you.

BEFORE COMPLETING THIS DECLARATION

Before you complete and sign this declaration, make sure you:

- read each section
- understand all the information it contains.

➤ If you have any difficulties completing this declaration or you do not fully understand the information it contains:

- speak to a professional adviser
- visit www.ato.gov.au/smsf
- phone us on **13 10 20**.

If you are not familiar with some of the terms used in this declaration or you need more information, refer to *Running a self-managed super fund* (NAT 11032).

WHEN COMPLETING THIS DECLARATION

When you complete this declaration, remember to:

- insert the full name of the fund at the beginning
- sign and date it
- ensure it is signed and dated by a witness (anyone 18 years old or over).

WHAT SHOULD YOU DO WITH THE DECLARATION?

You must keep your completed declaration for at least 10 years and make it available to us if we request it.

We recommend that you keep a copy of your completed declaration and refer to it and *Self-managed super funds – key messages for trustees* (NAT 71128), which is available on the ATO website, when making important decisions, such as those relating to choosing investments, accepting contributions and paying benefits.

⚠ Do not send your completed declaration to us.



Self-managed super fund trustee declaration

I understand that as an individual trustee or director of the corporate trustee of

Fund name

--

I am responsible for ensuring that the fund complies with the *Superannuation Industry (Supervision) Act 1993* (SISA) and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing the fund's compliance with the law.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

If I do not comply with the legislation, the Commissioner may take the following actions:

- impose administrative penalties on me
- enter into agreements with me to rectify any contraventions of the legislation
- disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future
- remove the fund's complying status, which may result in significant adverse tax consequences for the fund
- prosecute me under the law, which may result in fines or imprisonment.

SOLE PURPOSE

I understand it is my responsibility to ensure the fund is only maintained for the purpose of providing benefits to the members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies. I understand that I should regularly evaluate whether the fund continues to be the appropriate vehicle to meet this purpose.

TRUSTEE DUTIES

I understand that by law I must at all times:

- act honestly in all matters concerning the fund
- exercise skill, care and diligence in managing the fund
- act in the best interests of all the members of the fund
- ensure that members only access their super benefits if they have met a legitimate condition of release
- refrain from entering into transactions that circumvent restrictions on the payment of benefits
- ensure that my money and other assets are kept separate from the money and other assets of the fund
- take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)
- refrain from entering into any contract or do anything that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund
- allow all members of the fund to have access to information and documents as required, including details about
 - the financial situation of the fund
 - the investments of the fund
 - the members' benefit entitlements.

I also understand that by law I must prepare, implement and regularly review an investment strategy having regard to all the circumstances of the fund, which include, but are not limited to:

- the risks associated with the fund's investments
- the likely return from investments, taking into account the fund's objectives and expected cash flow requirements
- investment diversity and the fund's exposure to risk due to inadequate diversification
- the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities (including benefit payments)
- whether the trustees of the fund should hold insurance cover for one or more members of the fund.

Investment restrictions

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from:

- lending money of the fund to, or providing financial assistance to, a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly, including the provision of credit)
- acquiring assets (other than business real property, listed securities, certain in-house assets and acquisitions made under mergers allowed by special determinations or acquisitions as a result of a breakdown of a relationship) for the fund from members or other related parties of the fund
- borrowing money (or maintaining an existing borrowing) on behalf of the fund except in certain limited circumstances (while limited recourse borrowing arrangements are permitted, they can be complex and particular conditions must be met to ensure that legal requirements are not breached)

- having more than 5% of the market value of the fund's total assets at the end of the income year as in-house assets (these are loans to, or investments in, related parties of the fund – including trusts – or assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party)
- entering into investments on behalf of the fund that are not made or maintained on an arm's length (commercial) basis (this ensures the purchase or sale price of the fund's assets and any earnings from those assets reflects their market value).

Accepting contributions and paying benefits

I understand that I can only accept contributions and pay benefits (income streams or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund trust deed have been met.

Administration

I understand that the trustees of the fund must:

- keep and retain for at least 10 years
 - minutes of all trustee meetings at which matters affecting the fund were considered (this includes investment decisions and decisions to appoint members and trustees)
 - records of all changes of trustees, including directors of the corporate trustee
 - each trustee's consent to be appointed as a trustee of the fund or a director of the corporate trustee
 - all trustee declarations
 - copies of all reports given to members
- ensure that the following are prepared and retained for at least five years
 - an annual statement of the financial position of the fund
 - an annual operating statement
 - copies of all annual returns lodged
 - accounts and statements that accurately record and explain the transactions and financial position of the fund
- ensure that an approved auditor is appointed within the prescribed period (currently this is no later than 31 days before the due date for lodgment of the fund's annual return but this may change to 45 days) to audit the fund for each income year, and provide that auditor with documents as requested
- lodge the fund's annual return, completed in its entirety, by the due date
- notify the ATO within 28 days of any changes to the
 - membership of the fund, or trustees or directors of the corporate trustee
 - name of the fund
 - contact person and their contact details
 - postal address, registered address or address for service of notices for the fund
- notify the ATO in writing within 28 days of the fund being wound up or after becoming aware that the fund has ceased to be an SMSF.

DECLARATION


By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self-managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and, if I fail to do this, penalties may apply.
- I may have to make this document available for inspection by a member of staff of the ATO and, if I fail to do this, penalties may apply.
- I do not have access to the government's financial assistance program that is available to trustees of Australian Prudential Regulation Authority (APRA) regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

ROBERT NEIL PEARSON

Trustee's or director's signature




Date

Day: 04 / Month: 04 / Year: 2013

Witness' name (witness must be 18 years old or over)

FRED PATEL

Witness' signature



Date

Day: 04 / Month: 04 / Year: 2013

Trustee declaration

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- impose administrative penalties on me
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- disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future
- remove the fund's complying status, which may result in significant adverse tax consequences for the fund
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- act in the best interests of all the members of the fund
- ensure that members only access their super benefits if they have met a legitimate condition of release
- refrain from entering into transactions that circumvent restrictions on the payment of benefits
- ensure that my money and other assets are kept separate from the money and other assets of the fund
- take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)
- refrain from entering into any contract or do anything that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund
- allow all members of the fund to have access to information and documents as required, including details about the financial situation of the fund
 - the investments of the fund
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- the risks associated with the fund's investments
- the likely return from investments, taking into account the fund's objectives and expected cash flow requirements
- investment diversity and the fund's exposure to risk due to inadequate diversification
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- acquiring assets (other than business real property, listed securities, certain in-house assets and acquisitions made under mergers allowed by special determinations or acquisitions as a result of a breakdown of a relationship) for the fund from members or other related parties of the fund
- borrowing money (or maintaining an existing borrowing) on behalf of the fund except in certain limited circumstances (while limited recourse borrowing arrangements are permitted, they can be complex and particular conditions must be met to ensure that legal requirements are not breached)

- having more than 5% of the market value of the fund's total assets at the end of the income year as in-house assets (these are loans to, or investments in, related parties of the fund – including trusts – or assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party)
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 - records of all changes of trustees, including directors of the corporate trustee
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 - all trustee declarations
 - copies of all reports given to members
- ensure that the following are prepared and retained for at least five years
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 - an annual operating statement
 - copies of all annual returns lodged
 - accounts and statements that accurately record and explain the transactions and financial position of the fund
- ensure that an approved auditor is appointed within the prescribed period (currently this is no later than 31 days before the due date for lodgment of the fund's annual return but this may change to 45 days) to audit the fund for each income year, and provide that auditor with documents as requested
- lodge the fund's annual return, completed in its entirety, by the due date
- notify the ATO within 28 days of any changes to the
 - membership of the fund, or trustees or directors of the corporate trustee
 - name of the fund
 - contact person and their contact details
 - postal address, registered address or address for service of notices for the fund
- notify the ATO in writing within 28 days of the fund being wound up or after becoming aware that the fund has ceased to be an SMSF.

DECLARATION


By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self-managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and, if I fail to do this, penalties may apply.
- I may have to make this document available for inspection by a member of staff of the ATO and, if I fail to do this, penalties may apply.
- I do not have access to the government's financial assistance program that is available to trustees of Australian Prudential Regulation Authority (APRA) regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

DONNA GENENE PEARSON

Trustee's or director's signature



Date

Day: 04 / Month: 04 / Year: 2013

Witness' name (witness must be 18 years old or over)

Witness' signature

Date

Day: / Month: / Year:



Australian Government

Australian Taxation Office

Self managed super funds – key messages for trustees

Read this fact sheet in conjunction with the *Trustee declaration* (NAT 71089). Keep a copy of this fact sheet with you and refer to it when making important decisions on behalf of your fund.

From 1 July 2007, if you are a new trustee (or director of a corporate trustee) of a self managed super fund (SMSF), you must complete a *Trustee declaration* (NAT 71089).

The trustee declaration is not the same as your fund's trust deed. It is a separate document you must complete and sign to show you understand your duties and responsibilities under the super laws.

YOU'RE RESPONSIBLE FOR MANAGING THE FUND

Becoming a trustee of a SMSF is an important decision that carries certain duties and responsibilities. That is, you must manage the fund for the benefit of members into their retirement. You must also ensure the SMSF assets are held in trust and invested on behalf of the members.

You are responsible for ensuring your fund is properly managed and complies with all governing rules (including the trust deed and super laws). These rules apply to you in your capacity as a trustee of the fund. You will also need to make important decisions that may affect the retirement savings of the fund's members.

All trustees are equally responsible for managing the fund and making sure it complies with the law. This is the case even if one trustee is more actively involved in the day-to-day running of the fund than the others, or you use a professional to do certain tasks on your behalf (for example, an accountant, lawyer, investment advisor, super fund administrator or tax agent). All trustees are responsible and accountable for running the fund and making decisions.

If you use a professional to help you manage your fund, it's important you get good advice and choose one that's right for you and your circumstances. It's essential to make sure any financial, investment and legal advice you receive comes from a qualified professional. Good advice is important as your decisions will have an impact on the retirement income of the fund's members, including you.

You must manage the fund separate to your own affairs. This means you must keep the fund's assets, including money, separate from your personal and business assets and ensure they are used solely for fund purposes.

You must not allow money to be withdrawn from the fund earlier than is legally permitted as it is meant for retirement. You must preserve members' benefits in the fund until they retire or reach their preservation age (currently not before age 55, and then rising to age 60 for those born after 30 June 1964). Early access is only allowed in very limited circumstances, for example, in cases of severe financial hardship, on tightly restricted compassionate grounds, or in the event of permanent incapacity.

YOU MUST UNDERSTAND YOUR DUTIES AND RESPONSIBILITIES

Your trustee duties and responsibilities include:

- making sure the purpose of the fund is to pay retirement benefits to members
- organising an investment strategy and making investment decisions
- accepting contributions and paying benefits (pension and lumps sums) in accordance with the rules
- ensuring an approved auditor is appointed for each income year, and
- undertaking administrative tasks such as lodging annual returns and record-keeping.

You must also ensure the fund's trust deed and investment strategy are regularly reviewed and updated in accordance with the law and the needs of the members.

! To avoid penalties, make sure you understand and comply with your duties and responsibilities under the super laws.

➤ MORE INFORMATION

For more information about your role and responsibilities as a trustee, refer to *Self managed superannuation funds – Role and responsibilities of trustees* (NAT 11032).

To keep up to date with the latest information on SMSFs, subscribe to our on-line newsletter – *SMSF News*. To subscribe, visit our website at www.ato.gov.au and search for 'SMSF News'.

To obtain a copy of our publications or for more information:

- visit our website at www.ato.gov.au
- phone **13 10 20**
- phone our publication ordering service on **1300 720 092**, or
- write to us at
Australian Taxation Office
PO Box 3100
PENRITH NSW 2740

If you do not speak English well and want to talk to a tax officer, phone the Translating and Interpreting Service on **13 14 50** for help with your call.

If you have a hearing or speech impairment and have access to appropriate TTY or modem equipment, phone **13 36 77**. If you do not have access to TTY or modem equipment, phone the Speech to Speech Relay Service on **1300 555 727**.

OUR COMMITMENT TO YOU

We are committed to providing you with advice and information you can rely on.

We make every effort to ensure that our advice and information is correct. If you follow advice in this publication and it turns out to be incorrect, or it is misleading and you make a mistake as a result, we must still apply the law correctly. If that means you owe us money, we must ask you to pay it. However, we will not charge you a penalty or interest if you acted reasonably and in good faith.

If you make an honest mistake when you try to follow our advice and you owe us money as a result, we will not charge you a penalty. However, we will ask you to pay the money, and we may also charge you interest.

If correcting the mistake means we owe you money, we will pay it to you. We will also pay you any interest you are entitled to.

You are protected under GST law if you have acted on any GST advice in this publication. If you have relied on GST advice in this publication and that advice later changes, you will not have to pay any extra GST for the period up to the date of the change. Similarly, you will not have to pay any penalty or interest.

If you feel this publication does not fully cover your circumstances, please seek help from the Tax Office or a professional adviser.

The information in this publication is current at June 2007.

We regularly revise our publications to take account of any changes to the law, so make sure that you have the latest information. If you are unsure, you can check for a more recent version on our website at www.ato.gov.au or contact us.

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Australian Taxation Office
Canberra
June 2007
JS 8390

GENERAL

**SUPERANNUATION FUNDS
AND MEMBERS**

APPLICATION

NAT 15237-09.2006

SEGMENT

AUDIENCE

FORMAT

PRODUCT ID



Australian Government

Australian Taxation Office

Superannuation contributions splitting application – instructions

WHAT IS SUPERANNUATION CONTRIBUTIONS SPLITTING?

Superannuation contributions splitting may be offered by your superannuation fund. It means that people can split certain superannuation contributions with their spouse. It lets couples share their superannuation benefits.

Superannuation contributions splitting is a voluntary measure that your superannuation fund can decide whether they will offer to you. You will need to contact your superannuation fund and ask if they are going to offer superannuation contributions splitting.

You should send your application to the superannuation fund which holds the superannuation contributions you intend to split. Check with your fund to see if they have an application form.

Your application to split your splittable contributions should be lodged with your superannuation fund in the following financial year. You lodge your application between 1 July and 30 June following the end of the financial year in which the contributions were made. Alternatively, you may apply to split contributions made during the relevant financial year if your entire benefit is to be rolled over, transferred or cashed before the end of that financial year.

You have one opportunity (per fund) for each financial year to request a split of contributions made to the fund.

WHO SHOULD USE THESE INSTRUCTIONS?

These instructions are for a superannuation fund member (the applicant) who is applying to split certain superannuation contributions for the benefit of their spouse (the receiving spouse).

Follow the steps to fill in the superannuation contributions splitting application:

- Applicant to complete sections A, B, C and D, and
- Receiving spouse to complete the declaration in section E.

SECTION A – APPLICANT DETAILS

Fill in your personal and membership details to ensure your superannuation fund can identify you and your superannuation account.

Your superannuation fund's ABN or SFN will enable your superannuation fund to confirm the superannuation account from which you want to split contributions. Your superannuation fund's ABN and/or SPIN will be shown on your product disclosure statement or member statement. Your fund can tell you the fund's SFN. Or you can find your fund on our Register of Complying Super Funds (ROCS) at www.ato.gov.au/super

Fill in your member account number. If you do not know your account number, contact your superannuation fund. Please ensure that this superannuation account is active.

SECTION B – RECEIVING SPOUSE DETAILS

Fill in your spouse's details.

The superannuation fund's ABN or SFN will help your superannuation fund to identify the correct superannuation fund and account to receive the split contributions. The superannuation fund's ABN and/or SPIN will be shown on the product disclosure statement or member statement. The fund can tell you the fund's SFN. Or you can search for the fund on the Tax Office Register of Complying Super Funds (ROCS) at www.ato.gov.au/super

Fill in your spouse's member account number. This is the account which will receive the contributions. Your spouse can check these details with their superannuation fund. Please ensure that this account is active.

Your spouse can create a new account to receive the contributions. They may need to complete a membership application. Your spouse must have an account in place before you lodge the superannuation contributions splitting application.

SECTION C – CONTRIBUTIONS SPLITTING DETAILS

The financial year is the year in which the superannuation contributions were made to your account. Only contributions made on or after 1 January 2006 can be split to your spouse's superannuation account.

Write down the amount of splittable contributions and type of contributions that you are applying to split to your spouse's superannuation account. Or write down the amount of splittable contributions and type of contributions to be split as a percentage of the total eligible contributions made during the relevant financial year.

You cannot nominate to split more than 85% of the total taxed splittable contributions made to your superannuation fund during the relevant financial year. If the nominated amount exceeds this, your application is invalid. Contact your superannuation fund if you need more information about the maximum amounts which can be split. Your superannuation fund can also advise you of any rules they have for limits on amounts or percentages of contributions that can be split to your spouse's superannuation account.

There are a range of **taxed splittable contributions** which can be split. These contributions are made to your superannuation fund, and are taxable to the fund for income tax purposes.

They include:

- employer contributions (including salary sacrifice contributions)
- personal contributions for which an income tax deduction is to be claimed
- superannuation holding accounts (SHA) special account amounts transferred to your superannuation account by the Tax Office on or after 1 January 2006
- superannuation guarantee entitlements transferred to your superannuation account by the Tax Office on or after 1 January 2006, and
- allocated surplus contribution amounts.

There are several **untaxed splittable contributions** which can be split. These contributions to your superannuation account are not taxable to the fund for income tax purposes.

These include:

- personal contributions for which you have not claimed and do not intend to claim a tax deduction, and
- Super Co-contributions.

Employer contributions made to a public sector superannuation scheme (referred to as untaxed splittable employer contributions) are also eligible to be split.

SECTION D – APPLICANT REQUEST AND DECLARATION

Read the declaration, if it is correct, print your full name and sign and date the declaration.

SECTION E – RECEIVING SPOUSE DECLARATION

Read the declaration, if it is correct, the receiving spouse should print their full name and sign and date the declaration.

Funds may ask for evidence to demonstrate that your spouse:

- has not yet reached preservation age, or
- is between preservation age and age 65 but is not retired.

What is a person's preservation age?

A person's preservation age depends on their date of birth, as set out in the following table.

Date of birth	Preservation age
Before 1 July 1960	55
1 July 1960 – 30 June 1961	56
1 July 1961 – 30 June 1962	57
1 July 1962 – 30 June 1963	58
1 July 1963 – 30 June 1964	59
After 30 June 1964	60

MORE INFORMATION

For further information on this topic:

- read our fact sheet *Superannuation contributions splitting for individuals* (NAT 14969), which is available at www.ato.gov.au
- visit our website at www.ato.gov.au/super
- phone our information line on **13 10 20** between 8.00am and 6.00pm, Monday to Friday
- obtain a fax by phoning **13 28 60**, or
- write to:
Australian Taxation Office
PO Box 277
WORLD TRADE CENTRE VIC 8005

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PUBLISHED BY

Australian Taxation Office
Canberra

The information in this publication is current at September 2006.

JS 6020



Superannuation contributions splitting application

This form includes instructions to help superannuation members and superannuation funds understand how to split their superannuation contributions. Read the instructions before you fill in this form. If you need more information about your superannuation membership or contribution details, contact your superannuation fund. If you need general information about superannuation contributions splitting, phone the Tax Office on 13 10 20 or visit www.ato.gov.au/super

Section A: Applicant details

1 Your details

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given names

2 Your address

Street number and name

Suburb/town

State/territory Postcode

3 Your date of birth Day / Month / Year

4 Sex Male Female

5 Your daytime telephone number

6 Your email address

7 Name of your fund

8 Your fund's Australian business number (ABN)

Your fund's superannuation fund number (SFN)

10 Superannuation product identification number (SPIN)

11 Your member account number

Section B: Receiving spouse details

12 Details of spouse

Title: Mr Mrs Miss Ms Other

Family name

First given name

Other given names

13 Address

Street number and name

Suburb/town

State/territory Postcode

14 Date of birth Day Month Year

15 Sex Male Female

16 Daytime telephone number

17 Email address

18 Name of your spouse's fund

19 Fund's Australian business number (ABN)

20 Fund's superannuation fund number (SFN)

21 Fund's superannuation product identification number (SPIN)

22 Your spouse's member account number

Section C: Contributions splitting details

23 Financial year ending Day Month Year

24 Taxed splittable contributions to be split Dollar amount \$ or percentage %

25 Untaxed splittable contributions to be split Dollar amount \$ or percentage %

Note: If you intend to claim a deduction for personal superannuation contributions made during the relevant financial year, you must give the trustee notice of your intention to claim a deduction before you lodge a superannuation contributions splitting application.

26 Untaxed splittable employer contributions to be split Dollar amount \$ or percentage %

Section D: Applicant request and declaration

I request that you split the contributions detailed in section C to the superannuation account of my spouse as detailed in section B. I declare that the information provided on this form is correct.

Name (please print)

Name (please print) input boxes

Signature input box

Date Day Month Year

Section E: Receiving spouse declaration

I declare that at the date of this application I am the spouse of the applicant and I am:

- less than my preservation age, OR
between my preservation age and 65 years and not retired.

Name (please print)

Name (please print) input boxes

Signature input box

Date Day Month Year

Superannuation funds can charge administration or management fees to recover the cost of splitting your superannuation contributions. The Tax Office takes no responsibility for these service fees. If you have any questions about these fees, contact your superannuation fund.

Application for membership

Robert & Donna Pearson Superannuation Fund

I, ROBERT NEIL PEARSON
Please print name of applicant

of _____
Please print address of applicant

am a Trustee of the Fund. I hereby apply for membership of **Robert & Donna Pearson Superannuation Fund** and consent to becoming a member of it. I confirm that I am not aware of any impediments to this application and acknowledge that I have read the Product Disclosure Statement including any other information provided to me.


I agree that upon acceptance of my membership to:

1. be bound by the terms of the Deed and the Rules of the Fund;
2. be bound by all decisions of the Trustee(s) that were made in accordance with the Rules of the Fund, the superannuation laws and the trustee laws;
3. provide information to the Trustee where required, e.g. medical conditions;
4. provide my Tax File Number to the Trustee provided the Trustee abides by the laws relating to the collection and dissemination of my Tax File Number;
5. consent to the Trustee to hold that information despite anything to the contrary in the privacy legislation;
6. provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a Binding Death Benefit Nomination;
7. ensure that any Superannuation contributions, transfers or rollovers are made in accordance with the superannuation laws at that time;
8. notify the Trustee where I have become disabled, retired, attained preservation age or met some other condition of release; and
9. notify the Trustee where I have become separated from my Spouse that is deemed irreconcilable, if I have one.

Date of Birth: 18 / 05 / 1961

Tax File Number: 628 149 884

Executed by:


Signature

4 / 4 / 13
Date

ROBERT NEIL PEARSON
Please print name

Application for membership

Robert & Donna Pearson Superannuation Fund

I, DONNA GENENE PEARSON

Please print name of applicant

of

Please print address of applicant

am a Trustee of the Fund. I hereby apply for membership of **Robert & Donna Pearson Superannuation Fund** and consent to becoming a member of it. I confirm that I am not aware of any impediments to this application and acknowledge that I have read the Product Disclosure Statement including any other information provided to me.

I agree that upon acceptance of my membership to:

1. be bound by the terms of the Deed and the Rules of the Fund;
2. be bound by all decisions of the Trustee(s) that were made in accordance with the Rules of the Fund, the superannuation laws and the trustee laws;
3. provide information to the Trustee where required, e.g. medical conditions;
4. provide my Tax File Number to the Trustee provided the Trustee abides by the laws relating to the collection and dissemination of my Tax File Number;
5. consent to the Trustee to hold that information despite anything to the contrary in the privacy legislation;
6. provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a Binding Death Benefit Nomination;
7. ensure that any Superannuation contributions, transfers or rollovers are made in accordance with the superannuation laws at that time;
8. notify the Trustee where I have become disabled, retired, attained preservation age or met some other condition of release; and
9. notify the Trustee where I have become separated from my Spouse that is deemed irreconcilable, if I have one.

Date of Birth:


16 / 12 / 1962

Tax File Number:

146 139 434

Executed by:

Signature



Date

4 / 4 / 13

DONNA GENENE PEARSON

Please print name

Minutes of trustee meeting

Appointment of trustee and establishment of the Fund

Robert & Donna Pearson Superannuation Fund

Held at: Unit 8 46 Buckingham Drive
Wangara WA 6065

Date: 04 / 04 / 2013

Time: 9.30 am

Present: Donna Genene Pearson
Robert Neil Pearson

Chairperson: Robert Neil Pearson
was appointed Chairperson of the meeting.

Quorum: The Chairperson noted that a quorum was present at the meeting of Trustee to pass the proposed resolution.

Motions to appoint trustee and establish the fund: The Chairperson tabled a motion to appoint Trustees, execute the Deed and establish the operation of the Fund. Under the Rules of the Fund, the Trustees are required to undertake the following:

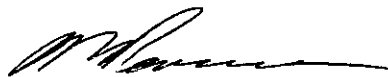
1. be appointed as Trustees of the Fund;
2. execute the Fund's Deed;
3. formulate and implement an investment strategy and complete annexure "A" to the Product Disclosure Statement;
4. provide the Product Disclosure Statement to Members;
5. accept Members into the Fund;
6. apply to become a Regulated Superannuation Fund;
7. apply for Australian Business Number and Tax File Number;
8. establish a bank account for the Fund;
9. appoint an administrator to the Fund;
10. appoint an Auditor to the Fund;
11. appoint a Self Managed Superannuation Fund (SMSF) specialist and any other professional; and
12. determine voting powers.

Trustee resolution: IT WAS RESOLVED by the Trustee to:

- (a) execute the Deed of the Fund;
- (b) formulate and implement an investment strategy which will:
 - (1) aim at attaining the investment objective of the Fund from investments to satisfy the cash flow requirements of the Fund, having particular regard to the composition of the investment, diversification and liquidity; and
 - (2) ensure that the primary investment objective is to provide the Member(s) with Benefits in the event of their retirement and Benefits to their Dependants or legal estate in the event of the Member's death;
- (c) ensure that all prospective Member(s) have read and understood the Product Disclosure Statement (PDS);
- (d) appoint the following as Trustee(s) of the Fund provided all eligible:
Donna Genene Pearson
Robert Neil Pearson
- (e) invite the following person(s) to become the Member(s) of the Fund provided all eligible:
Donna Genene Pearson
Robert Neil Pearson
- (f) notify Member(s) of their acceptance as a Member of the Fund;
- (g) complete and lodge Australian Business Number (ABN) and Tax File Number (TFN) with the Australian Tax Office (ATO);
- (h) establish a bank account on behalf of the Fund;
- (i) seek consent to act and appoint relevant professionals wherever required, and complete annexure "B" to the PDS when fees and charges are known.

Meeting Closed: There being no further business the meeting was declared closed.

Confirmed as a true and correct record.



Chairperson

Minutes of trustee meeting

Trustee Resolutions

Robert & Donna Pearson Superannuation Fund

Held at: Unit 8 46 Buckingham Drive
Wangara WA 6065

Date: 04/04/2013

Time: 9.30 am

Present: Donna Genene Pearson
Robert Neil Pearson

Chairperson: Robert Neil Pearson
was appointed Chairperson of the meeting.

Quorum: The Chairperson noted that a quorum was present at the meeting of Trustee(s) to pass the proposed resolution.

Adoption of Voting Powers: The Chairperson noted that for the purposes of clause 8.5 of the Trust Deed, the Trustees are to determine by majority approval at the first meeting of the trustees one of the following as the method by which Trustees will be entitled to cast votes at all meetings of Trustees:

- (1) each Trustee being entitled to cast the number of votes nearest to the number of whole dollars of that Member's Account the Trustee represents and any amounts in Reserve that an actuary has determined might be transferred to the Member's Account to pay a Pension, but no less than one vote each; or
- (2) each Trustee being entitled to cast one vote each.

The Chairperson further noted that if the Trustees failed to make a determination, method (2) will apply and that if method (2) applies and there is a deadlock, the deadlock shall be resolved by weighting each Trustee's votes nearest to the number of whole dollars of the Member's Account the Trustee represents and any amounts in Reserve that an actuary has determined might be transferred to the Member's Account to pay a Pension, but no less than one vote each.

Trustee Resolutions: **IT WAS RESOLVED** to adopt method:

- (1) Method 1 ; or
- (2) Method 2 .

Meeting closed:

There being no further business the meeting was declared closed.

Confirmed as a true and correct record.



Chairperson

Application for membership

Robert & Donna Pearson Superannuation Fund

I, **Robert Neil Pearson** of **Unit 8 46 Buckingham Drive, Wangara WA 6065** am a trustee of the Fund. I hereby apply for membership of **Robert & Donna Pearson Superannuation Fund** and consent to becoming a Member of it. I confirm that I am not aware of any impediments to this application and acknowledge that I have read the Product Disclosure Statement including any other information provided to me.

I agree that upon acceptance of my membership to:

1. be bound by the terms of the Deed and the Rules of the Fund;
2. be bound by all decisions of the Trustee that were made in accordance with the Rules of the Fund, the superannuation laws and the trustee laws;
3. provide information to the Trustee where required, e.g. medical conditions;
4. provide my Tax File Number to the Trustee provided the Trustee abides by the laws relating to the collection and dissemination of my Tax File Number;
5. consent to the Trustee to hold that information despite anything to the contrary in the privacy legislation;
6. provide the Trustee, within a reasonable period of time a detailed death benefit plan that may include a Binding Death Benefit Nomination;
7. ensure that any Superannuation contributions, transfers or rollovers are made in accordance with the superannuation laws at that time;
8. notify the Trustee where I have become disabled, retired, attained preservation age or met some other condition of release; and
9. notify the Trustee where I have become separated from my Spouse that is deemed irreconcilable, if I have one.

Date of Birth:

18 / 05 / 1961

Tax File Number:

628 149 884.

Executed by:



Robert Neil Pearson

Date

4 / 4 / 13

Application for membership

Robert & Donna Pearson Superannuation Fund

I, **Donna Genene Pearson** of Unit 8 46 Buckingham Drive, Wangara WA 6065 am a trustee of the Fund. I hereby apply for membership of **Robert & Donna Pearson Superannuation Fund** and consent to becoming a Member of it. I confirm that I am not aware of any impediments to this application and acknowledge that I have read the Product Disclosure Statement including any other information provided to me.

I agree that upon acceptance of my membership to:

1. be bound by the terms of the Deed and the Rules of the Fund;
2. be bound by all decisions of the Trustee that were made in accordance with the Rules of the Fund, the superannuation laws and the trustee laws;
3. provide information to the Trustee where required, e.g. medical conditions;
4. provide my Tax File Number to the Trustee provided the Trustee abides by the laws relating to the collection and dissemination of my Tax File Number;
5. consent to the Trustee to hold that information despite anything to the contrary in the privacy legislation;
6. provide the Trustee, within a reasonable period of time a detailed death benefit plan that may include a Binding Death Benefit Nomination;
7. ensure that any Superannuation contributions, transfers or rollovers are made in accordance with the superannuation laws at that time;
8. notify the Trustee where I have become disabled, retired, attained preservation age or met some other condition of release; and
9. notify the Trustee where I have become separated from my Spouse that is deemed irreconcilable, if I have one.

Date of Birth: 16 / 12 / 1962

Tax File Number: 146 139 434

Executed by:



Donna Genene Pearson

4 / 4 / 13
Date

Trustee consent

Robert & Donna Pearson Superannuation Fund

I, **Robert Neil Pearson** hereby consent to the appointment to act as trustee of the Fund and to be bound by the Fund's Deed and all of the Rules and the Act as defined in the Deed and to ensure that:

- the Fund continues to be a Complying Superannuation Fund as defined in the Deed; and
- the Fund is continuously maintained as a Self Managed Superannuation Fund.

I declare that I am not a disqualified person as that term is defined under the Trust Deed or the Act;

The appointment is to last only so long as the Fund continues to be a Complying Superannuation Fund. Where the appointment threatens the Fund's complying status, I agree to resign with effect immediately upon becoming aware of such threat.

Executed by:



Robert Neil Pearson

41 41 13
Date

Trustee consent

Robert & Donna Pearson Superannuation Fund

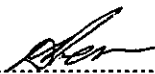
I, **Donna Genee Pearson** hereby consent to the appointment to act as trustee of the Fund and to be bound by the Fund's Deed and all of the Rules and the Act as defined in the Deed and to ensure that:

- the Fund continues to be a Complying Superannuation Fund as defined in the Deed; and
- the Fund is continuously maintained as a Self Managed Superannuation Fund.

I declare that I am not a disqualified person as that term is defined under the Trust Deed or the Act;

The appointment is to last only so long as the Fund continues to be a Complying Superannuation Fund. Where the appointment threatens the Fund's complying status, I agree to resign with effect immediately upon becoming aware of such threat.

Executed by:


.....
Donna Genee Pearson

4 1 4 1 1 3
.....
Date

Investment strategy guide

Robert & Donna Pearson Superannuation Fund

Members

Donna Genee Pearson
Robert Neil Pearson

Trustees

Donna Genee Pearson
Robert Neil Pearson

Objectives

The following investment objectives and strategies are in accordance with section 52(2)(f) of the *Superannuation Industry (Supervision) Act, 1993* ('SIS Act').

As a general investment objective, the Trustee aims to achieve reasonable medium to long-term growth maintaining low levels of capital volatility and risk.

The Trustee however, accepts that volatility will occur within asset classes in the short-term but will seek sufficient diversification through the Fund's investment portfolio to minimise risk.

The Trustee aims to:

- create superannuation Benefits to Members and their Dependents to meet their retirement needs; and
- ensure that the allocation of resources are distributed amongst an appropriate selection of investments by the Fund to support the above objective.

Investment Strategy

The Trustee will formulate, review regularly and give effect to the Fund's investment structure which may include but is not limited to all or one of the following:

- stocks, derivatives, direct equities, dividend reinvestment programs and rights issues;
- property trusts and affiliated investments;
- managed investments and affiliated products;
- direct residential industrial or commercial property investment;
- the Fund may borrow to acquire the beneficial interest in listed Company shares provided the lender's rights on any default of the borrowing or the sum of the borrowing and charges related to the borrowing are limited to rights relating to those listed shares or any replacement to the listed shares.

- the Fund may borrow to acquire the beneficial interest in real estate, provided the lenders rights on any default of the borrowing or the sum of the borrowing and charges related to the borrowing are limited to rights relating to that real estate or any replacement to the real estate.
- bank and other financial institution securities, term deposits, debentures, bonds and secured and unsecured notes; and
- any other investment that does not breach the rules of the Fund.

The below listed range of investments are merely suggestive and is subject to the Trustee(s) discretion in varying the allocation of resources at any time if market conditions or other circumstances warrant a change.

However, if the Trustee wishes to venture into opportunities beyond the below listed parameters, the investment strategy of the Fund and all decisions made must then be fully revised and minuted.

The investment strategy of the fund is tabulated below in the following assets:

Asset	Range
Cash%
Fixed Interest Investment%
Australian Equities%
International Equities%
Property, direct and indirect%
Derivatives, options, futures, foreign currency, etc.%
Other investments: collectables, arts, coins, etc.%
Total	100%

The Trustee(s) may seek professional advice of accountants, solicitors or financial planners in the structure and planning of the investment strategy. The Trustee(s), in formulating, regularly reviewing and giving effect to the investment strategy, has taken into account the features of investment types according to both the objectives and superannuation laws summarised below:

- Investment risks and return;
- Liquidity and cash-flow requirements;
- Investment diversification;
- The Fund's ability to discharge liabilities; and
- Whether the Trustees of the Fund should hold a contract of insurance that provides insurance cover for one or more Members of the Fund.

Policies

In order to achieve the objectives, the Trustees have agreed upon adopting the following policies:

- Regular monitoring of the Fund's investments performance covering the rate of return in income and capital growth, risk profile of the portfolio and the expected cash flow requirements.
- Revising the investment portfolio according to changes in market conditions.

The Trustee(s) will review the strategy at least annually, reserving the right to make changes when appropriate, and to ensure that investments align with the overall strategy.

Executed by or on behalf of the Trustee

.....
Donna Genee Pearson

...../...../
Date

.....
Robert Neil Pearson



CommSec Share Trading

Instructions for finalising your Application - Keep this page for your records

Thank you for your application. You've almost finished.

To complete your application follow the simple steps outlined below. We will activate your account(s) once we have received and approved your application, and send you an e-mail to confirm your new account(s).

If you have any queries please contact us on 13 15 19 between 8am and 7pm Sydney time, Monday to Friday.

Reference Number: 825440

- Step 1** Print and read this document
- Step 2** Sign and date the Declaration and Acknowledgements
- Step 3** Provide certified copy(ies) of the Proof of Identity document(s) listed below:
- Name: DONNA PEARSON
- Name: ROBERT PEARSON

Additional information required

As you have applied for a Trust you will need to provide:

- a certified extract of the trust deed. The extract should include those pages which show the trust name, name of trustee/s and signature of trustee/s with witnesses' signatures.

- Final Step** Submit the declaration and acknowledgement page(s) along with any additional required documents by either:

Post

CommSec
Reply Paid 60768
Australia Square
NSW 1214
(No postage necessary)

Email

To: commsecapps@commsec.com.au

What happens next?

- Step 1** We will process your application
- Step 2** You'll receive a Welcome e-mail once your account has been set up

Reference Number: 825440

Summary of Your Information

Here is the information you provided in your on-line application and the products you are applying for. Please check this information carefully as it will form part of the contract for each product. If any details below are not correct, please call 13 15 19 for assistance. Please retain a copy of this section for your personal records.

Step 1: Get Started

Account Type: TRUST

Step 2: Your Trust - ROBERT & DONNA PEARSON

Trust Type: SELF MANAGED SUPER FUND

Industry Category: FINANCE AND INSURANCE

Industry Type: SUPERANNUATION FUNDS

Account Designation: ROBERT & DONNA PEARSON

Trustee Type: INDIVIDUAL

Full Trust Name: ROBERT & DONNA PEARSON SUPERANNUATION FUND

Operating as charity: NO

Country of Establishment: AUSTRALIA

ABN: 77271357298

Tax File Number or Exemption Code: NOT PROVIDED

Is the entity's primary activity investing?: YES

Is there a trust deed?: YES

Beneficiary Name OR Class 1: DONNA PEARSON

Beneficiary Name OR Class 2: ROBERT PEARSON

Reference Number: 825440

Step 2: About You - MRS DONNA GENENE PEARSON

Full Name: MRS DONNA GENENE PEARSON
Gender: FEMALE
Date of Birth: XX/XX/XXXX Your DOB is hidden for security reasons.
Authority Type: TRUSTEE
Job Category: TEACHERS / INSTRUCTORS
Job Type: PRIMARY
Residential Address: LOT 25 HANCOCK PL GINGINUP WA 6503
Postal Address: LOT 25 HANCOCK PL GINGINUP WA 6503
Email Address: DONNA.PEARSON@EDUCATION.WA.EDU.AU
Mobile Phone Number: 0409644598 (Preferred)
Tax File Number or Exemption Code: PROVIDED
Trading Experience: NEWTOTRADING
Identification: IDENTIFICATION REQUIRED

CommSec Marketing Communication

CommSec may provide you and additional applicants (if applicable) promotional materials about its products and services - including special promotional offers, Initial Public Offerings (IPOs) and market information and insights.

If you do not wish to receive marketing communication from CommSec only, please follow the link to find out how to change your marketing preferences.

If you are an existing CommSec customer and have already set up your marketing preferences, these will remain unchanged.

Step 2: About You - MR ROBERT NEIL PEARSON

Full Name: MR ROBERT NEIL PEARSON
Gender: MALE
Date of Birth: 18/05/1961
Authority Type: TRUSTEE
Job Category: MACHINE OPERATORS / DRIVERS
Job Type: RAIL/TRAM/ROAD
Residential Address: LOT 25 HANCOCK PL GINGINUP WA 6503
Postal Address: LOT 25 HANCOCK PL GINGINUP WA 6503
Email Address: DRAGONMARINE@BIGPOND.COM
Mobile Phone Number: 0488080840 (Preferred)
Tax File Number or Exemption Code: PROVIDED
Trading Experience: NEWTOTRADING
Identification: IDENTIFICATION REQUIRED

CommSec Marketing Communication

CommSec may provide you and additional applicants (if applicable) promotional materials about its products and services - including special promotional offers, Initial Public Offerings (IPOs) and market information and insights.

If you do not wish to receive marketing communication from CommSec only, please follow the link to find out how to change your marketing preferences.

If you are an existing CommSec customer and have already set up your marketing preferences, these will remain unchanged.

Reference Number: 825440

Step 3: Preferences & Features

Product:	COMMSEC SHARE TRADING
CommSec Chess Sponsorship:	YES
Settlement Account Name:	D & R PEARSON
Settlement BSB	066058
Settlement Account Number:	10215208
Receive Dividend Payments Electronically:	YES

Reference Number: 825440

Declarations and Acknowledgements

Account Details:

Account Name: MRS DONNA GENENE PEARSON <ROBERT & DONNA PEARSON A/C>
Account(s) Type: EQUITIES DIRECT DEBIT
Residential / Registered Address: LOT 25 HANCOCK PL GINGINUP WA 6503
Postal Address: LOT 25 HANCOCK PL GINGINUP WA 6503

I/we the undersigned (being the applicant):

Declare that the information I/we provided to you in my/our online application (and summarised in the Summary of Your Information section of this Application) is complete and correct and acknowledge that it will form part of the contract for each product I/we are applying for.

Acknowledge that: (a) the name of individual persons given in this application are true and correct and that the law prohibits the use of false names, as well as the giving or use of false documents in connection with an identification procedure; (b) I/we have been given the opportunity during the online application process to indicate whether I/we do not wish to receive promotional material.

Consent to the uses and disclosures of my/our personal information set out in the Privacy sections of the Terms and Conditions governing each product I/we am/are applying for.

Have obtained the consent of any individual(s) whose personal information is provided in this application. They have authorised the collection, use or exchange of their information in accordance with Group Privacy Policy.

Declaration of Terms and Conditions

I/we: Acknowledge that I/we have received the CommSec Trading Terms and Conditions electronically, and if my/our application is approved by CommSec, agree to be bound by those Terms and Conditions.

Agree that: CommSec can obtain a credit report containing personal credit information about me/us in relation to that commercial credit application (as per section 18K (1)(b) of the Privacy Act 1988).

Agree that where I have supplied CommSec with an email address, CommSec is authorised by me/us to send the Contract Confirmation Notes by email.

Agree that if I/we are a company, CommSec will provide Confirmation Contract Notes & Loan Statements to me/us being the Director/Secretary authorised to give instructions.

Request that if CommSec is not my/our broker, transfer to CommSec all my/our CHESS Participant Holdings and/or SCRIP held in safe custody, and Holder Identification Number (HIN), and Issuer Sponsored Holdings (if any), specified in this Application.

Acknowledge that where this Application so indicates, I/we have elected to receive statements and notices electronically.

Direct Debit / Direct Credit Request:

I/we: Authorise and request Commonwealth Securities Limited (CommSec) (APCA User ID No. 062934 - Debit and 062895 - Credit) to arrange for funds to be debited from/credited to my/our accounts as set out in the Summary of Your Information section of this Application through the Bulk Electronic Clearing System (BECS).

Acknowledge that this authority is governed by and will remain in force in accordance with the Direct Debit/Credit Request Service Agreement sections of the Terms and Conditions governing each product I/we are applying for.

Authorise the following:

1. CommSec to verify the details of the account entered in the online application with Commonwealth Bank of Australia.
2. Commonwealth Bank of Australia to release information allowing CommSec to verify the account details entered in the online application.

For Trusts,

I/we: a) Warrant that the trust deed/instrument authorises the opening and operation of the account as contemplated by this Application, and
b) Warrant that authority has been given by signature of the trustee(s), or where the trustee is a company, by resolution passed at a legally constituted meeting of director(s) of the company for the opening and operation of the account in the name of and on the terms and conditions and in the manner set out in this Application.

Reference Number: 825440

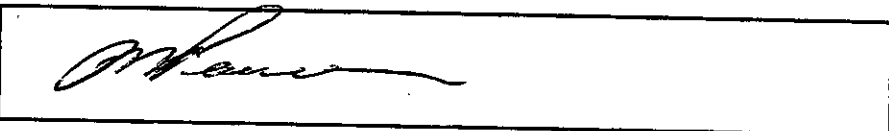
For Applicant(s), please sign here:

Name of Applicant: MRS DONNA GENENE PEARSON - Netbank ID 48849062

Signature: 

Date: 5/1/17

Name of Applicant: MR ROBERT NEIL PEARSON - Netbank ID 72542479

Signature: 

Date: 5/1/17