



Cowell Clarke
COMMERCIAL LAWYERS

JA & GM Weckert Superannuation Fund Deed of Appointment of Trustee

Jeffrey Alan Weckert
Gail Marie Weckert
("Existing Trustees")

and

Scott David Weckert
("Incoming Trustee")

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THIS DEED made the 30th day of June 2022

BETWEEN JEFFREY ALAN WECKERT and GAIL MARIE WECKERT both of 22 White Hut Road, Clare SA 5453 ("Existing Trustees")

AND SCOTT DAVID WECKERT of Lot 347 Boconnoc Park Road, Clare SA 5453 ("Incoming Trustee")

RECITALS

- A. The JA & GM Weckert Superannuation Fund ("**Fund**") was established by the Existing Trustees by deed dated 20 June 2003 for the benefit of the members of the Fund and the dependants of such members ("**Fund Deed**").
- B. By deed dated 24 June 2022 the Fund Deed was amended.
- C. The Existing Trustees are the trustees of the Fund.
- D. The Existing Trustees and the Incoming Trustee are the members of the Fund.
- E. Clause 3.2 of the Fund Deed currently provides:

"3.2 Appointment and removal of Trustee

- 3.2.1 The Members will, by unanimous agreement, have the right to appoint and remove the Trustee by deed subject at all times to the Relevant Law.
 - 3.2.2 Each Trustee and all directors of the Trustee, in the event the Trustee is a company, must prior to or upon becoming appointed to that office consent in writing to the appointment."
- F. Pursuant to clause 3.2 of the Fund Deed, the parties are desirous of appointing (and consenting to the appointment of) the Incoming Trustee as a trustee of the Fund.

OPERATIVE PROVISIONS

1. Recitals

The parties acknowledge that the recitals are true and correct and form part of this deed.

2. Appointment of additional trustee

Pursuant to clause 3.2 of the Fund Deed, and in exercise of all other powers enabling them, the parties to this deed appoint the Incoming Trustee as a trustee of the Fund in addition to the Existing Trustees as and from the date of this deed.

3. Consent to act as additional trustee

In accordance with the requirements of section 118 of the *Superannuation (Industry) Supervision Act 1993* (Cth) ("**SIS Act**") and clause 3.2 of the Fund Deed, the parties consent to the Incoming Trustee to act as a trustee for the Fund as is evidenced by their execution of this deed.

4. **Vesting of property**

The parties to this deed covenant and agree to do all things necessary to effect the prompt vesting of all of the property and assets comprising the trust fund of the Fund in the Incoming Trustee and Existing Trustees as trustees for the Fund.

5. **Performance of Obligations**

The Incoming Trustee undertakes to perform and observe all obligations imposed upon the Incoming Trustee pursuant to the Fund Deed.

6. **Compliance with Fund Deed**

The parties to this deed have reviewed clause 3.2 of the Fund Deed and are satisfied that the requirements of the Fund Deed have been complied with in this deed.

7. **Compliance with superannuation law**

The parties are satisfied that the requirements of the SIS Act and the *Superannuation Industry (Supervision) Regulations 1994* (Cth) ("**SISR**") have been complied with and that nothing in this deed infringes any of the limitations imposed by the SIS Act or SISR.

8. **Costs**

The costs of and incidental to the preparation and execution of this deed will be borne by the Incoming Trustee and Existing Trustees in their capacity as trustees of the Fund.

EXECUTED as a DEED.

SIGNED by **JEFFREY ALAN WECKERT** in the presence of:

) 
)
) Jeffrey Alan Weckert


.....
Witness (signature)

MICHAEL JOHN HEWETT
.....
Witness (print full name)


SIGNED by **GAIL MARIE WECKERT** in the presence of:


) 
)
) Gail Marie Weckert


.....
Witness (signature)

MICHAEL JOHN HEWETT
.....
Witness (print full name)

SIGNED by **SCOTT DAVID WECKERT** in the presence of:

) 
)
) Scott David Weckert


.....
Witness (signature)

MICHAEL JOHN HEWETT
.....
Witness (print full name)