

## Appointment as Trustee of the D & M Maione Family Super Fund ('the Fund')

Maione Co Pty Ltd

ACN: 087 297 327

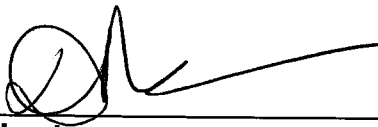
of 15 Gorge Road Paradise 5075 SA

### HEREBY DECLARES THAT

1. it consents to the appointment to act as trustee of the Fund; and
2. to be bound by the constitution of the company, the Fund's trust deed and all of the rules contained within the governing rules of the Fund, and the laws under the *Superannuation Industry (Supervision) Act 1993* ('SIS Act'), the *Income Tax Assessment Act 1997*, the *Family Law Act 1975* (Part VIIIIB), the *Social Security Act 1991*, the relevant *State Trustee Act*, any successor acts and all regulations made for the purposes of the foregoing acts to ensure that:
  - a. the Fund elects to be a regulated superannuation fund under the *SIS Act*;
  - b. the Fund is continuously maintained as a self managed superannuation fund; and,
  - c. the Fund remains a continuously complying self managed superannuation fund;
3. all of the directors of the trustee company are members of the Fund unless specifically exempted under Section 17A of the *SIS Act* and that no director or executive officer of the company is a disqualified person as that term is defined under the rules of the Fund and pursuant to Part 15 of the *SIS Act*;
4. a receiver, or a receiver and manager has not been appointed in respect of the property beneficially owned by the company, or an official manager, or a deputy official manager, or a provisional liquidator has not been appointed to the company, nor is the company being wound up.

The appointment is to last only so long as the continuing appointment does not render the fund a non-complying self managed superannuation fund. Where the appointment jeopardises the fund's complying status, the trustee agrees to resign with effect immediately upon it becoming known that the continuing appointment may result in the Fund becoming a non-complying self managed superannuation fund.

Signed by:



\_\_\_\_\_  
Director

\_\_\_\_\_  
Date