

# STATUTORY DECLARATION

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Tel 02 8296 6222 [www.townsendslaw.com.au](http://www.townsendslaw.com.au)

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## STATUTORY DECLARATION

I, Heather Lynne Byrne of 48 Highland Drive, Bowral in the State of New South Wales

DO SOLEMNLY AND SINCERELY DECLARE as follows.

1. I am a director of Mews Bowral Pty Ltd ACN 603 671 487 ("the Apparent Purchaser") which is the apparent purchaser of real property at 8/11 Bundaroo Street, Bowral NSW (Folio Identifier 8/SP49134) ("the Property") and I am authorised to make this declaration on behalf of the Apparent Purchaser.
2. The agreement for the sale of the Property by Anthony Philip Glenn and Julie Ann Glenn as trustees for Glenn Superannuation Fund as vendors to the Apparent Purchaser was duly stamped with ad valorem duty.
3. A copy of the front page of the Agreement is annexed hereto and marked 'A'.
4. The Apparent Purchaser holds the Property as the apparent purchaser for How Heavenly Pty Ltd ACN 169 433 587 ("the Real Purchaser") the Trustee of The HB and AP Superannuation Fund ABN 64 675 349 412 ("the Fund"). The Apparent Purchaser holds the Property in the manner described in and as required by s 67A of the *Superannuation Industry (Supervision) Act 1993* (Cth) ('SIS Act').
5. The Apparent Purchaser acquired and holds the Property in this manner so that the Real Purchaser and the Fund do not contravene the civil penalty provision in s 67(1) of the SIS Act by borrowing money other than in accordance with s 67A of SIS Act.
6. The deposit and the balance of the purchase money was paid by the Real Purchaser as trustee of the Fund from the money of the Fund (including money that the Fund has borrowed) and not by the Apparent Purchaser.
7. The purchase price of \$440,000.00 was paid as to \$..... by  
the Real Purchaser as the trustee of the Fund and as to \$..... by  
Westpac Banking Corporation ("the Lender") being a loan by that Lender to the Real Purchaser as trustee of the Fund.
8. Annexed hereto and marked 'B' is a true copy of Bank Statements of the Fund showing the relevant payments.
9. Annexed hereto and marked 'C' is a true copy of the loan approval from the Lender to the Real Purchaser as trustee of the Fund to facilitate the provision of sufficient funds to enable the purchase of the Property by the Apparent Purchaser as apparent purchaser.

**AND I MAKE** this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1900* (NSW) as amended.

Declared at ..... on ...../...../.....

.....

**Heather Lynne Byrne**

Before me

.....

Signature of Authorised Witness

.....

Full Name of Authorised Witness

.....

Qualification of Authorised Witness (Justice of the Peace, Solicitor, other (specify))

.....

Address of Authorised Witness

**Certification of Statutory Declaration**

Certificate under section 34(1)(c) of *Oaths Act 1900*

I ..... (Witness print name),

a ..... (Qualification of Authorised Witness) certify the following matters concerning the making of this statutory declaration:

*(Please strike out the wording that is not applicable)*

- 1. I saw the face of the person **OR** I did not see the face of the person because the person was wearing a face covering, but I am satisfied that the person had a special justification for not removing the covering.
  
- 2. I have known the person for at least 12 months **OR** I have confirmed the person's identity using an identification document and the document I relied on was

..... (Form of Identification).

.....

Date: ...../...../.....

Signature of Authorised Witness

.....

Address of Authorised Witness

“Identification documents” include current drivers licence, proof of age card, Medicare card, credit card, birth certificate, passport or see *Oaths Regulation 2011* or *JP Ruling 003 – Confirming identity for NSW statutory declarations and affidavits*, footnote 3.

## ANNEXURE A

The immediately following ..... pages constitute the annexure marked 'A' referred to in the statutory declaration of **Heather Lynne Byrne** declared before me on

.....  
(Date)

Declared at  
(Place)

.....

Before Me

.....  
Signature of Witness

.....  
Print Name of Witness

.....  
Print Qualification of Witness  
Justice of the Peace / Solicitor

## ANNEXURE B

The immediately following ..... pages constitute the annexure marked 'B' referred to in the statutory declaration of **Heather Lynne Byrne** declared before me on

.....  
(Date)

Declared at .....  
(Place)

Before Me .....  
Signature of Witness

.....  
Print Name of Witness

.....  
Print Qualification of Witness  
Justice of the Peace / Solicitor

## ANNEXURE C

The immediately following ..... pages constitute the annexure marked 'C' referred to in the statutory declaration of **Heather Lynne Byrne** declared before me on

.....  
(Date)

Declared at .....  
(Place)

Before Me .....  
Signature of Witness

.....  
Print Name of Witness

.....  
Print Qualification of Witness  
Justice of the Peace / Solicitor