

How Heavenly Pty Ltd  
ACN 169 433 587  
as Trustee for  
The HB and AP Superannuation Fund  
48 Highland Drive  
BOWRAL NSW 2576

Commissioner of State Revenue  
Office of State Revenue  
GPO Box 4042  
SYDNEY NSW 2001

**BY REGISTERED POST**

Dear Commissioner

**Geared Purchase under s 67A *Superannuation Industry (Supervision) Act 1993* (Cth)**

<b>Name of Fund:</b>	The HB and AP Superannuation Fund
<b>ABN of Fund:</b>	64 675 349 412
<b>Name of Fund Trustee:</b>	How Heavenly Pty Ltd ACN 169 433 587
<b>Name of Holding Trustee:</b>	Mews Bowral Pty Ltd ACN 603 671 487
<b>Address of Property:</b>	8/11 Bundaroo Street, Bowral NSW (Folio Identifier 8/SP49134)

The HB and AP Superannuation Fund has elected to make use of s 67A *Superannuation Industry (Supervision) Act 1993* (Cth) to purchase property using in part borrowed funds.

The Commissioner would be aware that this Commonwealth legislation requires that the property be held by a custodian or so-called holding trustee on behalf of the Fund during the term of the loan.

As the Holding Trust Deed does not name the self managed superannuation fund; we hereby apply under s 55 of the *Duties Act 1997* (NSW) for concessional treatment of the duty on the Holding Trust Deed. Note that the term "Holding Trust" has been adopted in line with Australian Taxation Office guidelines.

Accordingly we enclose:

1. Deed of Trust setting up the Holding Trust (in triplicate);
2. completed declaration by a director of the Holding Trustee as apparent purchaser; and
3. cheque in favour of Office of State Revenue for \$70 being \$50 for the original Holding Trust deed and \$10 for each counterpart.

We confirm our understanding that eventually when the loan is repaid, the transfer from the Holding Trustee (apparent purchaser) to the Fund Trustee, as real purchaser, will similarly be stamped with only nominal duty under s 55(1)(b) of the *Duties Act*.

We kindly request that you return the stamped Holding Trust Deeds to the above address.

Yours faithfully,  
How Heavenly Pty Ltd ACN 169 433 587

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Heather Lynne Byrne – Director

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