



SELF-MANAGED SUPERANNUATION FUND INDEPENDENT AUDITOR'S REPORT

APPROVED SMSF AUDITOR DETAILS

Name	Mrs Michelle Patel
Business Name	MBK Audit Pty Ltd
Business Postal Address	PO Box 7249 SOUTHPORT QLD 4215
SMSF Auditor Number (SAN)	100262477

SELF-MANAGED SUPERANNUATION FUND DETAILS

Self-Managed Superannuation Fund (SMSF) Name	The Sinclair Family Superannuation Fund
Australian Business Number (ABN) or Tax File Number (TFN)	ABN 64 774 902 737
Address	C/- Cosgrove & Co Pty Ltd PO Box 1251 PALM BEACH QLD 4221
Year of Income Being Audited	30 June 2021
To The SMSF Trustees of	The Sinclair Family Superannuation Fund

PART A – FINANCIAL AUDIT

OPINION

I have audited the special purpose financial report of The Sinclair Family Superannuation Fund comprising the statement of financial position, the operating statement, a summary of significant accounting policies and other explanatory notes for the year ended 30 June 2021.

In my opinion the financial report presents fairly in all material respects in accordance with the accounting policies described in the notes to the financial report, the financial position of the fund at 30 June 2021 and the results of its operations for the year then ended.

BASIS FOR OPINION

My audit has been conducted in accordance with Australian Auditing Standards (issued by the Auditing and Assurance Standards Board)¹. My responsibilities under those standards are further described in the Approved SMSF Auditor's Responsibilities for the Audit of the Financial Report section of this report.

I am independent of the self-managed superannuation fund in accordance with the auditor independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (the Code) that are relevant to this audit and as required by the Superannuation Industry (Supervision) Regulations 1994 (SISR). I have also fulfilled my other ethical responsibilities in accordance with the Code. In particular, neither myself, my firm or my network firm assumed a management responsibility for the fund. My firm or network firm did not prepare the financial statements for the fund. Where my firm or network firm provided any other non-assurance services to the fund, we are satisfied that those services were not prohibited under the Code and any independence threats arising have been eliminated or reduced to an acceptable level by the application of safeguards.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

EMPHASIS OF MATTER – BASIS OF ACCOUNTING

I draw attention to note 1 of the financial report, which describes the basis of accounting. The financial report has been prepared to assist The Sinclair Family Superannuation Fund meet the requirements of the SMSF's governing rules, the Superannuation Industry (Supervision) Act 1993 (SISA) and the SISR. As a result, the financial report may not be suitable for other purposes and should not be distributed to parties other than the trustees. My opinion is not modified in respect of this matter.

Furthermore, without qualification to the opinion expressed above, attention is drawn to the following matter:

The fund invested \$604,718 in two (2) managed investments, representing 94.9% of total fund assets. I have sighted the Annual Statement confirming the value, existence of the investments and ownership by the fund as at 30 June 2021, however, no responsibility is taken for any errors or omissions contained in the reports.

RESPONSIBILITIES OF SMSF TRUSTEES FOR THE FINANCIAL REPORT

Each SMSF trustee (individual trustee or director of corporate trustee) is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the SMSF's governing rules, the SISA and the SISR. Each trustee is also responsible for such internal controls as they determine are necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the trustees are responsible for assessing the fund's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the trustees intend to wind-up the fund or have no realistic alternative but to do so.

Each SMSF trustee is responsible for overseeing the fund's financial reporting process.

¹ The Australian Auditing Standards issued by the Auditing and Assurance Standards Board

APPROVED SMSF AUDITOR'S RESPONSIBILITIES FOR THE AUDIT OF THE FINANCIAL REPORT

My objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions of trustees taken on the basis of this financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of an internal control.
- Obtain an understanding of internal controls relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the fund's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the trustees.
- Conclude on the appropriateness of trustees' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the fund's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in the auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of the auditor's report. However, future events or conditions may cause the fund to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I have communicated with the trustees regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I may identify during the audit.

PART B – COMPLIANCE ENGAGEMENT

OPINION

I have undertaken a reasonable assurance engagement on The Sinclair Family Superannuation Fund's compliance, in all material respects, with the applicable provisions of the SISA and the SISR as listed below ("the listed provisions") for the year ended 30 June 2021.

Sections: 17A, 35AE, 35B, 35C(2), 62, 65, 66, 67, 67A, 67B, 82-85, 103, 104, 104A, 105, 109, 126K

Regulations: 1.06(9A), 4.09, 4.09A, 5.03, 5.08, 6.17, 7.04, 8.02B, 13.12, 13.13, 13.14, 13.18AA

In my opinion, each trustee of The Sinclair Family Superannuation Fund has complied, in all material respects, with the listed provisions, for the year ended 30 June 2021.

BASIS FOR OPINION

I have conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3100 Compliance Engagements issued by the Auditing and Assurance Standards Board.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

INDEPENDENCE AND QUALITY CONTROL

I have complied with the independence and other ethical requirements relating to assurance engagements, and applied Auditing Standards ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements* in undertaking this assurance engagement. In particular, neither myself, my firm or my network firm assumed a management responsibility for the fund. Where my firm or network firm provided any other non-assurance services to the fund, we are satisfied that those services were not prohibited under the Code and any independence threats arising have been eliminated or reduced to an acceptable level by the application of safeguards.

SMSF TRUSTEE'S RESPONSIBILITIES

Each SMSF trustee is responsible for complying with the listed provisions and for the identification of risks that threaten compliance with the listed provisions, controls which will mitigate those risks and monitoring ongoing compliance.

APPROVED SMSF AUDITOR'S RESPONSIBILITIES

My responsibility is to express an opinion on the trustees' compliance, in all material respects, with the listed provisions, for the year ended 30 June 2021. ASAE 3100 Compliance Engagements requires that I plan and perform my procedures to obtain reasonable assurance about whether the trustees have complied, in all material respects, with the listed provisions for the year ended 30 June 2021.

An assurance engagement to report on the trustees' compliance with the listed provisions involves performing procedures to obtain evidence about the compliance activity and controls implemented to meet the compliance requirements. The procedures selected depend on my judgement, including the identification and assessment of risks of material non-compliance.

My procedures included examination, on a test basis, of evidence supporting compliance with those requirements of the listed provisions for the year ended 30 June 2021.

These tests have not been performed continuously throughout the period, were not designed to detect all instances of non-compliance, and have not covered any other provisions of the SISA and the SISR apart from those specified.

INHERENT LIMITATIONS

Due to the inherent limitations of an assurance engagement, together with the internal control structure it is possible that fraud, error, or non-compliance with the listed provisions may occur and not be detected.

A reasonable assurance engagement for the year ended 30 June 2021 does not provide assurance on whether compliance with the listed provisions will continue in the future.

MBK AUDIT PTY LTD**MICHELLE PATEL****10 MAY 2022**

Appendix 1 – Explanation of listed sections and regulations in compliance engagement

This appendix is included to assist with the meaning of the legislation and regulations listed above

Section or Regulation	Explanation
S17A	The fund must meet the definition of an SMSF
S35AE	The trustees must keep and maintain accounting records for a minimum of five years
S35B	The trustees must prepare, sign and retain accounts and statements
S35C(2)	The trustees must provide the auditor with the necessary documents to complete the audit in a timely and professional manner; and within 14 days of a written request from the auditor
S62	The fund must be maintained for the sole purpose of providing benefits to any or all of the following: <ul style="list-style-type: none"> fund members upon their retirement fund members upon reaching a prescribed age the dependents of a fund member in the case of the member's death before retirement
S65	The trustees must not loan monies or provide financial assistance to any member or relative at any time during the financial year
S66	The trustees must not acquire any assets (not listed as an exception) from any member or related party of the fund
S67	The trustees of the fund must not borrow any money or maintain an existing borrowing (not listed as an exception)
S67A-67B	The fund must comply with limited recourse borrowing arrangement rules when borrowing to purchase a single acquirable asset or replacement assets (not listed as an exception to the borrowing rules)
S82-85	The trustees must comply with the in-house asset rules
S103	The trustees must keep minutes of all meetings and retain the minutes for a minimum of 10 years
S104	The trustees must keep up to date records of all trustee or director of corporate trustee changes and trustee consents for a minimum of 10 years
S104A	Trustees who became a trustee on or after 1 July 2007 must sign and retain a trustee declaration
S105	The trustees must ensure that copies of all member or beneficiary reports are kept for a minimum of 10 years
S109	All investment transactions must be made and maintained at arms-length – that is, purchase, sale price and income from an asset reflects a true market value/rate of return
S126K	A disqualified person cannot be a trustee, investment manager or custodian of a superannuation fund
Sub Reg 1.06 (9A)	Pension payments must be made at least annually, and must be at least the amount calculated under Schedule 7
Reg 4.09	Trustees must formulate, regularly review and give effect to an investment strategy for the fund
Reg 4.09A	The assets of the SMSF must be held separately from any assets held by the trustee personally or by a standard employer sponsor or an associate of the standard employer sponsor
Reg 5.03	Investment returns must be allocated to members in a manner that is fair and reasonable
Reg 5.08	Member minimum benefits must be maintained in the fund until transferred, rolled over, allotted (to the member's spouse) or cashed out in a permitted fashion
Reg 6.17	Payments of member benefits must be made in accordance with Part 6 or Part 7A of the regulations and be permitted by the trust deed
Reg 7.04	Contributions can only be accepted in accordance with the applicable rules for the year being audited
Reg 8.02B	When preparing accounts and statements required by subsection 35B(1) of SISA, an asset must be valued at its market value
Reg 13.12	Trustees must not recognise an assignment of a super interest of a member or beneficiary
Reg 13.13	Trustees must not recognise a charge over or in relation to a member's benefits
Reg 13.14	Trustees must not give a charge over, or in relation to, an asset of the fund
Reg 13.18AA	Investments in collectables and personal use assets must be maintained in accordance with prescribed rules.



10 May 2022

PRIVATE & CONFIDENTIAL

The Trustee
The Sinclair Family Superannuation Fund
C/- Cosgrove & Co Pty Ltd
PO Box 1251
PALM BEACH QLD 4221

Dear Trustee

We have completed our audit of **The Sinclair Family Superannuation Fund** for the year ended 30 June 2021.

It should be appreciated that our audit procedures are designed primarily to enable us to form an opinion on the financial statements as a whole, and may therefore not bring to light all the errors or weaknesses that may exist in terms of internal controls, procedures and systems. It is the Trustee's responsibility to maintain an adequate system of internal control as the principle safeguard against irregularities, including fraud, which an audit examination may not detect. The scope of the work performed is outlined in our engagement letter.

With consideration to the fund's limited internal control structure and the inherent risk associated with certain asset types; the following suggestions are brought to your attention:

- Each SMSF trustee/director of corporate trustee is involved in the design of the diversification outlines and composition of the fund's investment strategy and ensures all investments made by the fund are in line with the fund's investment strategy.
- Each SMSF trustee/director of corporate trustee ensures all fund assets are held in the correct fund name, correct legal ownership by the fund assists in safeguarding fund assets.
- All fund bank accounts and investments only be operated and/or negotiated by way of joint signatories of all the SMSF trustees to assist in safeguarding fund assets.
- The SMSF trustee(s) must regularly seek appropriate supporting documentation for certain investments, such as investments in non-associated unlisted entities and loans to non-associated entities, to enable continual evaluation of the existence, recoverability and market value of the investment and to enable identification of any events of fraud or misappropriation.
- The SMSF trustee(s) implement appropriate procedures into the fund's internal control structure to identify and mitigate the risks of fraud associated with transacting with/through, the provision of authorities to and when obtaining financial advice from third parties.

To be abreast of the roles and responsibilities of a SMSF trustee we suggest SMSF trustee education is accessed via the Australian Taxation Office website or appropriate independent professional advice is sought.

During the audit we noted the following which, in our view, should be brought to the attention of the Trustee.

Observation

Without qualification to the opinion expressed in the audit report of the fund for the year ended 30 June 2021, your attention is drawn to the fund's investment of \$604,718 in two (2) BT Panorama portfolios. We have sighted the Annual Statement confirming the value, existence of the investments and ownership by the fund as at 30 June 2021, however, no responsibility is taken for any errors or omissions contained in these reports.

We would like to thank you for the assistance provided to us during the course of the audit. If you would like to discuss any of the matters raised, please do not hesitate to contact the writer.

Kind Regards

MBK AUDIT PTY LTD

Michelle Patel

MICHELLE PATEL