

# THEIL SUPERANNUATION FUND

## Application for Membership

To the trustees of the Theil Superannuation Fund

**Full name:** Wade Theil  
**Address:** 1 Acacia Avenue  
LAKE MUNMORAH NSW 2259  
**Date of birth:** 18 October 2001  
**Gender:** Male  
**Tax File Number:** 971 208 765

### Tax File Number Notification - Important Information

Superannuation law requires Trustees to ask you to provide your TFN to your super fund. Providing it to your fund will allow the Trustees to use your TFN for purposes stated in superannuation law. These purposes include:

- Taxing superannuation payments at concessional rates;
- Finding and amalgamating your super benefits where insufficient information is available;
- Passing your TFN to the ATO when receiving a benefit or you have unclaimed money after reaching age pension age;
- Providing your TFN to a super fund receiving any benefits you may transfer. We will not pass your TFN to another fund if you advise us in writing not to do so, and
- Reporting superannuation contributions information to the ATO.

You are not required to provide your TFN. Declining to quote your TFN is not an offence. However, if you do not give your Fund your TFN, either now or later,

- You may pay more tax on your super benefits than you have to (you will get this back at the end of the year in your income tax assessment), and
- It may be more difficult to find you super benefit or amalgamate any multiple accounts if you change your address without notifying the Trustee.

### Declaration

I hereby apply to become a member of the above named superannuation fund and agree to be bound by the provisions of the trust deed as amended from time to time.

I also acknowledge that I have received a copy of the fund's Product Disclosure Statement and Administration Services Guide and agree to the Terms and Conditions and pricing contained therein.

**Applicant signature**





**Date**

14 Nov 19

Please  
Date

**Witness signature**



WITNESS  
SIGN

**Date**

14 Nov 19

Please  
Date

## THEIL SUPERANNUATION FUND

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### Confirmation of Membership

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Mr Wade Theil  
1 Acacia Avenue  
LAKE MUNMORAH NSW 2259  
Australia

Dear Mr Theil

This is to acknowledge receipt of your application for membership of the fund and to advise that your application has been approved effective as at **14 November 2019**.

Yours faithfully



Bradley Theil  
Chairperson




## THEIL SUPERANNUATION FUND

### Notice of Consent to Act as Trustee

I, **Wade Theil**, confirm that I understand the strict eligibility requirements for individuals who act as Trustees of superannuation entities under the Superannuation Industry (Supervision) Legislation (SIS) and in that regard I am not a "disqualified person" under SIS as:

- i I am not an employee of any of the other trustees or, if I am an employee, then I am a relative of that trustee;
- ii I have not at any time been convicted of an offence in respect of dishonest conduct;
- iii I have not at any time been the subject of a civil penalty order under SIS;
- iv I am not an undischarged bankrupt;
- v My property is not subject to control in a bankruptcy context by any person; and
- vi During the last 3 years I have not entered into any assignment, arrangement or composition with my creditors under any law.

I will immediately notify my fellow Trustees if any of the above statements cease to apply to me at any time during which I am a responsible officer of the fund.



WADE THEIL



Date:

14 Nov 2019

Please  
Date



## Self-managed super fund trustee declaration for Wade Theil

FundID 034586  
TaskID CHGM-17631602

### I understand that as an individual trustee or director of the corporate trustee of

Fund name

**THEIL SUPERANNUATION FUND**

I am responsible for ensuring that the fund is operated in accordance with the *Superannuation Industry (Supervision) Act 1993* (SISA) and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing trustees' compliance with the law.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

If I do not comply with the legislation, the Commissioner may take the following actions:

- impose administrative penalties on me
- give me a written direction to rectify any contraventions or undertake a course of education
- enter into agreements with me to rectify any contraventions of the legislation
- disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future
- remove the fund's complying status, which may result in significant adverse tax consequences for the fund
- prosecute me under the law, which may result in fines or imprisonment.

### Sole purpose

I understand it is my responsibility to ensure the fund is maintained for the purpose of providing benefits to the members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies. I understand that I should regularly evaluate whether the fund continues to be the appropriate vehicle to meet this purpose.

### Trustee duties

I understand that by law I must at all times:

- act honestly in all matters concerning the fund
- exercise skill, care and diligence in managing the fund
- act in the best interests of all the members of the fund
- keep records of decisions made about the running of the fund, including the appointment of professional advisers and the retirement of members and payment of benefits
- ensure that my money and other assets are kept separate from the money and other assets of the fund
- take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)
- refrain from entering into any contract or do anything that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund
- allow all members of the fund to have access to information and documents as required, including details about
  - the financial situation of the fund
  - the investments of the fund
  - the members' benefit entitlements.

I also understand that by law I must prepare, implement and regularly review an investment strategy having regard to all the circumstances of the fund, which include, but are not limited to:

- the risks associated with the fund's investments
- the likely return from investments, taking into account the fund's objectives and expected cash flow requirements
- investment diversity and the fund's exposure to risk due to inadequate diversification
- the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities (including benefit payments)
- whether the trustees of the fund should hold insurance cover for one or more members of the fund.

### Accepting contributions and paying benefits

I understand that I can only accept contributions and pay benefits (income streams or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund trust deed have been met.

### Investment restrictions

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from:

- giving financial assistance using the resources of the fund to a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly, including the provision of credit)
- acquiring assets (other than business real property, listed securities, certain in-house assets and acquisitions made under mergers, allowed by special determinations or acquisitions from the trustee or investment manager of another regulated super fund as a result of a breakdown of a relationship) for the fund from members or other related parties of the fund

- borrowing money (or maintaining an existing borrowing) on behalf of the fund except in certain limited circumstances (while limited recourse borrowing arrangements are permitted, they can be complex and particular conditions must be met to ensure that legal requirements are not breached)
- acquiring an in-house asset if the fund's in-house assets exceed 5% of the market value of the fund's total assets, or the in-house assets will exceed 5% of the market value of the fund's total assets by acquiring the asset (in-house assets are loans to, or investments in, related parties of the fund – including trusts – or assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party)
- entering into investments that are not made or maintained on an arm's length (commercial) basis (this ensures the purchase or sale price of the fund's assets and any earnings from those assets reflects their market value).

**Administration**

I understand that the trustees of the fund must:

- keep and retain for at least 10 years
  - minutes of all trustee meetings at which matters affecting the fund were considered (this includes investment decisions and decisions to appoint members and trustees, the retirement of members and payment of benefits)
  - records of all changes of trustees, including directors of the corporate trustee
  - each trustee's consent to be appointed as a trustee of the fund or a director of the corporate trustee
  - all trustee declarations
  - copies of all reports given to members
  - documented decisions about storage of collectables and personal use assets
- ensure that the following are prepared and retained for at least five years
  - an annual statement of the financial position of the fund
  - an annual operating statement
  - copies of all annual returns lodged
  - accounts and statements that accurately record and explain the transactions and financial position of the fund including asset market valuation
  - copies of Transfer balance account reports lodged
  - copies of any other statements you are required to lodge with us or provide to other super funds.
- appoint an approved SMSF auditor each year, no later than 45 days before the due date for lodgment of the fund's annual return and provide documents to the auditor as requested
- lodge the fund's annual return, completed in its entirety, by the due date
- review the independent audit report received from the approved SMSF auditor and take action as required
- notify the ATO within 28 days of any changes to the
  - membership of the fund, or trustees or directors of the corporate trustee
  - name of the fund
  - contact person and their contact details
  - postal address, registered address or address for service of notices for the fund
- notify the ATO in writing within 21 days if the fund becomes an Australian Prudential Regulation Authority (APRA) regulated fund.

**DECLARATION**

By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self-managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and, if I fail to do this, penalties may apply.
- Administrative penalties can be imposed on me for not complying with the legislation
- I may have to make this document available for inspection by a member of staff of the ATO and, if I fail to do this, penalties may apply.
- I do not have access to the government's financial assistance program that is available to trustees of APRA regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

**WADE THEIL**

Trustee's or director's signature

Date   
 Day Month Year  
 14 / 11 / 2019

Witness' name (witness must be 18 years old or over)

**Corrin Theil**

Witness' signature

Date   
 Day Month Year  
 14 / 11 / 2019