

9 July 2021

FundID S000357  
TaskID CHGM-1881966361

Mr T Parletta  
The Parletta Superannuation Fund  
PO Box 1122  
UNLEY SA 5061

Dear Mr Parletta,

### Change to member and trustee structure

We refer to your recent request to make the following changes to your fund's member and trustee structure:

#### Trustee changes:

Appoint as trustee	Parletta Family Super Fund Pty Ltd
Remove as trustee	Tony Parletta
Remove as trustee	Samantha Parletta

#### Director changes:

Appoint as director	Tony Parletta
Appoint as director	Samantha Parletta

Attached is a "Consent to Act as Director of the Trustee Company" and "Self-managed super fund trustee declaration" for each new director which they must sign and date to indicate that they are aware of their responsibilities as a director of the trustee company. Once they are signed and dated please file them in your fund folder and return a copy to us.

#### Other actions:

The following are also required to give effect to the above changes:

- Minutes to confirm the changes are attached and must be signed, dated and filed in your fund folder. Please return a copy of the document to us.
- A "Deed of Retirement and Appointment" will be forwarded separately and must also be signed by the trustees in accordance with the instructions attached to it.

If you have any questions or require assistance, please do not hesitate to contact our team on **1300 023 170** or send us an email via [enquiries@superconcepts.com.au](mailto:enquiries@superconcepts.com.au), including "Fund ID S000357" in the subject.

Kind Regards

**Customer Service Team**  
Client Services

# THE PARLETTA SUPERANNUATION FUND

## Notice of Consent to Act as Director of the Trustee Company

I, **Tony Parletta**, confirm that :

- i I am a director of the trustee company, Parletta Family Super Fund Pty Ltd;
- ii No receiver and manager has been appointed in respect of property beneficially owned by the company;
- iii No official manager or deputy official manager has been appointed in respect of the company;
- iv No provisional liquidator has been appointed in respect of the company; and
- v The company has not begun to be wound up.

I further confirm that I understand the strict eligibility requirements for individuals who act as directors of 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 directors or, if I am an employee, then I am a relative of that director;
- 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 Directors if any of the above statements cease to apply to me at any time during which I am a responsible officer of the company and the fund.



\_\_\_\_\_  
**TONY PARLETTA**

Date:

\_\_\_\_\_





# Self-managed super fund trustee declaration for Tony Parletta

FundID S000357  
TaskID CHGM-1881966361

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

Fund name

**THE PARLETTA 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

**TONY PARLETTA**

Trustee's or director's signature



Date   
 Day / Month / Year  
 [ ] [ ] / [ ] [ ] / [ ] [ ] [ ] [ ]

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

Witness' signature



Date   
 Day / Month / Year  
 [ ] [ ] / [ ] [ ] / [ ] [ ] [ ] [ ]

# THE PARLETTA SUPERANNUATION FUND

## Notice of Consent to Act as Director of the Trustee Company

I, **Samantha Parletta**, confirm that :

- i I am a director of the trustee company, Parletta Family Super Fund Pty Ltd;
- ii No receiver and manager has been appointed in respect of property beneficially owned by the company;
- iii No official manager or deputy official manager has been appointed in respect of the company;
- iv No provisional liquidator has been appointed in respect of the company; and
- v The company has not begun to be wound up.

I further confirm that I understand the strict eligibility requirements for individuals who act as directors of 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 directors or, if I am an employee, then I am a relative of that director;
- 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 Directors if any of the above statements cease to apply to me at any time during which I am a responsible officer of the company and the fund.



\_\_\_\_\_  
**SAMANTHA PARLETTA**

Date: \_\_\_\_\_





# Self-managed super fund trustee declaration for Samantha Parletta

FundID S000357  
TaskID CHGM-1881966361

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

Fund name

**THE PARLETTA 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)
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- 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)
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  - 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

**SAMANTHA PARLETTA**

Trustee's or director's signature



Date

Day	/	Month	/	Year
□ □		□ □		□ □ □ □



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

Witness' signature



Date

Day	/	Month	/	Year
□ □		□ □		□ □ □ □



# THE PARLETTA SUPERANNUATION FUND (ABN 36 485 129 971)

Minutes of Meeting of the Directors of  
PARLETTA FAMILY SUPER FUND PTY LTD (ACN 651817962)  
as Trustee for  
THE PARLETTA SUPERANNUATION FUND

## Held at Address:

Please  
Address

## Held on Date:

Please  
Date

**Present:** Tony Parletta  
Samantha Parletta

**Chairperson:** Tony Parletta

## Changes to Trustees:

The following change to the trustee structure was **NOTED**.

Name	Type of Change
Tony Parletta	Removal
Samantha Parletta	Removal

The chairperson also tabled a "**Consent to Act as Trustee**" and "**Self-managed super fund trustee declaration**" for each new trustee.

## New Corporate Trustee:

It was **RESOLVED** to appoint Parletta Family Super Fund Pty Ltd as trustee of the fund effective from 8 July 2021.

The chairperson also tabled a "**Consent to Act as Director of Corporate Trustee**" and "**Self-managed super fund trustee declaration**" for each director.

## Changes to Directors:

The following change to the directors of the corporate trustee was **NOTED**.

Full Name	Type of Change
Tony Parletta	Appointment
Samantha Parletta	Appointment

The chairperson also tabled a "**Consent to Act as Director of the Trustee Company**" and "**Self-managed super fund trustee declaration**" for each new director.

## Resolutions:

It was **RESOLVED** to:

1. have all parties sign the deed of Retirement and Appointment; and
2. request the administrator to prepare and lodge the relevant documents with the statutory authorities to advise of the changes.

All resolutions for this meeting were made in accordance with the SISA and Regulations.

There being no further business the meeting was closed.

Signed as a true and correct record



Tony Parletta (Chairperson)