



Self-managed super fund trustee declaration

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

Fund name

SPECIALISED WORK SUPER FUND

I am responsible for ensuring that the fund complies 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 the fund's 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 only 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
- ensure that members only access their super benefits if they have met a legitimate condition of release
- refrain from entering into transactions that circumvent restrictions on the 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:

- lending money of the fund to, or providing financial assistance 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 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)
- having more than 5% of the market value of the fund's total assets at the end of the income year as in-house assets (these 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)
 - 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
- 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
- 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
- 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 28 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.
- 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

MATTHEW GORDON SCHULTZ

Trustee's or director's signature




Date

Day: 16 / Month: 10 / Year: 2018

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

SHARIE ELLIOTT

Witness' signature



Date

Day: 16 / Month: 10 / Year: 2018



Self-managed super fund trustee declaration

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

Fund name

SPECIALISED WORK SUPER FUND

I am responsible for ensuring that the fund complies 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 the fund's compliance with the law.

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- impose administrative penalties on me
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- 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 only 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
- ensure that members only access their super benefits if they have met a legitimate condition of release
- refrain from entering into transactions that circumvent restrictions on the 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
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- 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

KANE POWELL

Trustee's or director's signature




Date

Day: 16 / Month: 10 / Year: 2018

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

SHANE ELLIOTT

Witness' signature



Date

Day: 16 / Month: 10 / Year: 2018



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DECLARATION

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- 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.
- 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

YVONNE MARIE POWELL

Trustee's or director's signature

Y Powell

Date

Day: 16 / Month: 10 / Year: 2018

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

SHANE FALLOTT

Witness' signature

Shane FalloTT

Date

Day: 16 / Month: 10 / Year: 2018

CONSENT TO ACT AS TRUSTEE

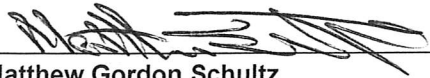
under section 118 of the *Superannuation Industry (Supervision) Act 1993*

Specialised Worx Super Fund (Fund)

I, **Matthew Gordon Schultz** of 11 Welten Drive, Coldstream, VIC 3770 consent to act as a trustee of the Fund and, in respect of that appointment, I do declare:

- that I am not disqualified from acting as a trustee of a superannuation entity under the *Superannuation Industry (Supervision) Act 1993 (SIS Act)*; and
- that I will notify the Australian Taxation Office immediately if I should become a disqualified person.

Dated: 15/10/2018


Matthew Gordon Schultz

Notes on disqualification

The SIS Act provides that the following persons are disqualified from acting as a trustee of a superannuation entity:

1. persons who have prior convictions involving dishonest conduct, wherever and whenever the conviction may have occurred;
2. persons who are insolvent, bankrupt or having entered into arrangements, assignments or compositions with creditors under Part X of the *Bankruptcy Act 1956* (Cth) or a similar foreign law;
3. persons in relation to whom a civil penalty order has been made under the SIS Act; and
4. persons expressly declared not to be "fit and proper" persons under sections 126A(3) or 126H(5) of the SIS Act.

CONSENT TO ACT AS TRUSTEE

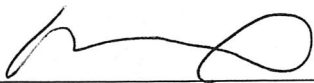
under section 118 of the *Superannuation Industry (Supervision) Act 1993*

Specialised Worx Super Fund (Fund)

I, **Kane Powell** of 9 Cheviot Avenue, Coldstream, VIC 3770 consent to act as a trustee of the Fund and, in respect of that appointment, I do declare:

- that I am not disqualified from acting as a trustee of a superannuation entity under the *Superannuation Industry (Supervision) Act 1993 (SIS Act)*; and
- that I will notify the Australian Taxation Office immediately if I should become a disqualified person.

Dated: 15 / 10 / 2018



Kane Powell

Notes on disqualification

The SIS Act provides that the following persons are disqualified from acting as a trustee of a superannuation entity:

1. persons who have prior convictions involving dishonest conduct, wherever and whenever the conviction may have occurred;
2. persons who are insolvent, bankrupt or having entered into arrangements, assignments or compositions with creditors under Part X of the *Bankruptcy Act 1956 (Cth)* or a similar foreign law;
3. persons in relation to whom a civil penalty order has been made under the SIS Act; and
4. persons expressly declared not to be "fit and proper" persons under sections 126A(3) or 126H(5) of the SIS Act.

CONSENT TO ACT AS TRUSTEE

under section 118 of the *Superannuation Industry (Supervision) Act 1993*

Specialised Worx Super Fund (Fund)

I, **Yvonne Marie Powell** of 9 Cheviot Avenue, Coldstream, VIC 3770 consent to act as a trustee of the Fund and, in respect of that appointment, I do declare:

- that I am not disqualified from acting as a trustee of a superannuation entity under the *Superannuation Industry (Supervision) Act 1993 (SIS Act)*; and
- that I will notify the Australian Taxation Office immediately if I should become a disqualified person.

Dated: 15 / 10 / 2018



Yvonne Marie Powell

Notes on disqualification

The SIS Act provides that the following persons are disqualified from acting as a trustee of a superannuation entity:

1. persons who have prior convictions involving dishonest conduct, wherever and whenever the conviction may have occurred;
2. persons who are insolvent, bankrupt or having entered into arrangements, assignments or compositions with creditors under Part X of the *Bankruptcy Act 1956 (Cth)* or a similar foreign law;
3. persons in relation to whom a civil penalty order has been made under the SIS Act; and
4. persons expressly declared not to be "fit and proper" persons under sections 126A(3) or 126H(5) of the SIS Act.

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**SPECIALISED WORX SUPER FUND
(FUND)**

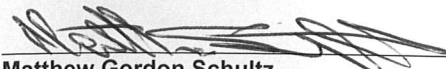
RESOLUTION OF THE TRUSTEES OF THE FUND

MADE ON THE 15 DAY OF OCTOBER 2018

We, **Matthew Gordon Schultz** of 11 Welten Drive, Coldstream, VIC 3770 and **Kane Powell and Yvonne Marie Powell** both of 9 Cheviot Avenue, Coldstream, VIC 3770:

- 1 acknowledge that we have considered the terms and conditions set out in the proposed trust deed of the Fund in the form attached to these resolutions (**Trust Deed**); and
- 2 unanimously pass the following resolutions:
 - (a) that we accept the position as the trustees of the Fund in accordance with the terms and conditions set out in the Trust Deed and agree to execute the Trust Deed;
 - (b) that we, being all of the trustees of the Fund (**Trustees**) accept the consents to act and trustee declarations provided by Matthew Gordon Schultz, Kane Powell and Yvonne Marie Powell stating that they are not disqualified under the *Superannuation Industry (Supervision) Act 1993 (SIS Act)* from acting as trustees and that they understand their duties and obligations as trustees of the Fund;
 - (c) that we will take steps to determine an investment strategy for the Fund in accordance with the requirements of the SIS Act and its regulations;
 - (d) that each prospective member of the Fund be given a PDS, with an attached membership application form, containing such information required by the *Corporations Act 2001* as a member would reasonably need for the purpose of making a decision whether to acquire an interest in the Fund;
 - (e) that we will open a bank account in the name of the Fund at a nominated bank to facilitate the operation of the Fund;
 - (f) that we will make an application for a tax file number for the Fund;
 - (g) that, being satisfied that the Trust Deed:
 - (i) allows the trustees of the Fund to be individuals; and
 - (ii) contains all necessary requirements to facilitate the operation of the Fund by the Trustees as a regulated superannuation fund,we will make an irrevocable election in the approved form that the Fund is to be a regulated superannuation fund under the SIS Act, thereby entitling the Fund to concessional taxation treatment in accordance with the provisions of the SIS Act; and
 - (h) that we will execute the approved form and lodge the form with the Australian Taxation Office within 60 days.

Signed as a true and correct record.


Matthew Gordon Schultz

Date 15 / 10 / 2018


Yvonne Marie Powell

Date 15 / 10 / 2018


Kane Powell

Date 15 / 10 / 2018

MATTHEW GORDON SCHULTZ, KANE POWELL AND YVONNE MARIE POWELL
AS TRUSTEES FOR
SPECIALISED WORX SUPER FUND
(TRUSTEES)

RESOLUTION OF THE TRUSTEES OF THE FUND

MADE ON THE 15 DAY OF OCTOBER 2018

We, **Matthew Gordon Schultz** of 11 Welten Drive, Coldstream, VIC 3770 and **Kane Powell and Yvonne Marie Powell** both of 9 Cheviot Avenue, Coldstream, VIC 3770, being all of the Trustees of the Specialised Worx Super Fund (Fund) unanimously pass the following resolutions:

- (a) that the Trustees accept the written application for membership of the Fund from the following persons and admit those persons to membership of the Fund:

Member's Name	Address
Matthew Gordon Schultz	11 Welten Drive Coldstream, VIC 3770
Kane Powell	9 Cheviot Avenue Coldstream, VIC 3770
Yvonne Marie Powell	9 Cheviot Avenue Coldstream, VIC 3770

- (b) that the membership of those persons will commence on and from the date of this resolution.

Signed as a true and correct record.


Matthew Gordon Schultz

Date 15 / 10 / 2018


Yvonne Marie Powell

Date 15 / 10 / 2018


Kane Powell

Date 15 / 10 / 2018