

**SELF MANAGED  
SUPERANNUATION FUND  
SUPPORTING DOCUMENTS**  
20th June 2017

Prepared for:  
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## **SECTION TWO: Election Notice to the Australian Tax Office (ATO)**

### **IMPORTANT NOTICE**

#### **Election to Become a Regulated Superannuation Fund.**

Please give the following your immediate attention.

In order to become a complying superannuation fund and thus be eligible for tax concessions, the Trustee of a new superannuation fund must, within sixty (60) days after establishment of the fund, give the Australian Taxation Office the information prescribed in Superannuation Industry (Supervision) Regulation 11.04 contained in the Application to Register for The New Tax System.

An application form for an ABN has been included with the documents that have been sent to you. This form should be completed and lodged with the ATO within sixty (60) days of establishing the Fund.

Please speak to your adviser if you require further assistance.

## **SECTION THREE: Trustees**

This section contains the following documents:

1. Register of Trustees;
2. Employer's application to contribute to the fund;
3. Minutes of a meeting of the trustee of the fund, to establish the fund; and
4. A form for each trustee consenting to act in that capacity.

### Register Of Trustees: Matdreka Super Fund

<b>Name and Address of Trustees</b>	<b>Date of Birth</b>	<b>Date Appointed</b>	<b>Date Terminated</b>
Michael Pankhurst 4 Lyons Place, Dubbo, NSW, 2830	21/01/1960	20/06/2017	
Jennifer Pankhurst 4 Lyons Place, Dubbo, NSW, 2830	01/08/1962	20/06/2017	

## Employer Application to Participate in the Fund

(This form should be given to any employer who is to make contributions into the Fund)

### **MATDREKA SUPER FUND**

To the trustees

I/We being an associated employer apply to participate in the Fund and to make contributions to the Fund in respect of employees who are Members of the Fund.

FURTHER

I/We agree to be bound by the terms of the Trust Deed and the rules of the Fund and Government Regulations.

Dated \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_

Signed by the Employer .....

<b>NAME OF PARTICIPATING EMPLOYERS</b>	<b>DATE OF ADMISSION</b>	<b>EXECUTION OF PARTICIPATING EMPLOYERS OR OF TRUSTEE CONFIRMING ADMISSION</b>

**MINUTES OF A MEETING OF THE TRUSTEES OF THE MATDREKA SUPER FUND**

HELD AT .....

ON THE 20th June 2017

**PRESENT:**

Michael Pankhurst  
Jennifer Pankhurst

**CHAIR**

Michael Pankhurst was elected Chairperson

**SUPERANNUATION**

The persons present have agreed to set up an indefinitely continuing complying self managed superannuation fund and have consented in writing to their appointment to act as Trustees of the Fund.

**ACCEPTANCE AS TRUSTEE OF SUPERANNUATION FUND:**

The Chairman tabled a Superannuation Fund Trust Deed known as the Matdreka Super Fund (referred to as "the Fund")

**IT WAS RESOLVED THAT** the persons who have consented in writing be appointed as Trustees shall be appointed as Trustees to administer the Fund in accordance with the Trust Deed.

**EXECUTION OF THE DEED:**

**IT WAS RESOLVED THAT** the persons present execute the Fund Trust Deed forthwith.

**BANK ACCOUNT:**

**IT WAS RESOLVED THAT** the Trustees take appropriate steps to establish a bank account for the Fund with an approved deposit taking institution.

**ADVISING THE RELEVANT RESPONSIBLE AUTHORITIES:**

**IT WAS RESOLVED THAT** the relevant responsible statutory authorities be advised that the Fund has been established and an irrevocable notice of election be filed in the form prescribed.

**FEES AND OUT OF POCKET EXPENSES**

**IT WAS RESOLVED THAT** all fees and other out of pocket expenses incurred from time to time by the Trustees on behalf of the Fund be charged against the assets of the Fund and, where necessary, a refund be made out of the Fund's assets to the appropriate Trustee(s) or other persons concerned

**INITIAL MEMBERSHIP APPLICATIONS:**

The Chair tabled written applications for Membership of the Fund from the following undermentioned persons.

**IT WAS RESOLVED THAT** such persons be approved as Members of the Fund and that they be forthwith recorded by the Trustee(s) in the Register of Members: -

Michael Pankhurst  
Jennifer Pankhurst

**CONTRIBUTIONS:**

The meeting resolved that the Trustee(s) accept all initial Contributions/Transfers for the Members as and when they arrive.

**CLOSED:**

There being no further business the meeting was then closed.  
Confirmed as a true record of the meeting held this day.

  
\_\_\_\_\_ (Chair)

**MATDREKA SUPER FUND**

**CONSENT OF TRUSTEE**

Pursuant to Section 118 of the Superannuation Industry (Supervision) Act 1993

I, Michael Pankhurst

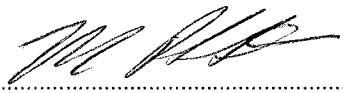
**HEREBY DECLARES** that I am not disqualified from acting as a Trustee of a superannuation fund under the Superannuation Industry (Supervision) Act 1993.

**AND I HEREBY CONSENT** to act as Trustee of the Fund.

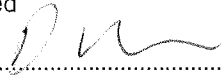
**AND I AGREE** to administer the Fund in accordance with the terms and conditions set out in the Trust Deed and all regulatory requirements.

**I UNDERTAKE** to notify any other Trustee of the Fund and the appropriate Regulatory Authority in writing if I become a disqualified person and thereby disqualified from continuing to act as a Trustee of the Fund.

**DATED:** 20th June 2017

  
.....

Signed

 DANIEL HILE  
.....

Witness

\* Note re: disqualification:

The Superannuation Industry (Supervision) Act 1993 provides that the following persons are disqualified from acting as a Trustee:

- i. Persons who have prior convictions involving dishonest conduct, wherever or whenever such convictions may have occurred;
- ii. Persons who are insolvent, bankrupt, or have entered into arrangements, assignments or compositions with creditors under Part X of the Bankruptcy Act 1966 (Cwlth) or a similar foreign law; and/or
- iii. Persons in relation to whom a civil penalty order has been made under the Superannuation Industry (Supervision) Act 1993.

A corporation may be disqualified if:

- i. a responsible officer person (a director, secretary or executive officer) is a disqualified person; or
- ii. there is an application to wind up the company; or
- iii. a receiver or provisional liquidator has been appointed.

## MATDREKA SUPER FUND

### CONSENT OF TRUSTEE

Pursuant to Section 118 of the Superannuation Industry (Supervision) Act 1993

I, Jennifer Pankhurst

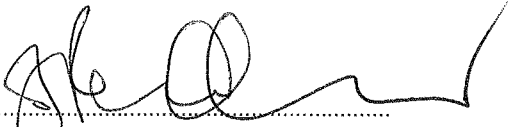
**HEREBY DECLARES** that I am not disqualified from acting as a Trustee of a superannuation fund under the Superannuation Industry (Supervision) Act 1993.

**AND I HEREBY CONSENT** to act as Trustee of the Fund.

**AND I AGREE** to administer the Fund in accordance with the terms and conditions set out in the Trust Deed and all regulatory requirements.

**I UNDERTAKE** to notify any other Trustee of the Fund and the appropriate Regulatory Authority in writing if I become a disqualified person and thereby disqualified from continuing to act as a Trustee of the Fund.

**DATED:** 20th June 2017



Signed

 DANIEL HILE.

Witness

\* Note re: disqualification:

The Superannuation Industry (Supervision) Act 1993 provides that the following persons are disqualified from acting as a Trustee:

- i. Persons who have prior convictions involving dishonest conduct, wherever or whenever such convictions may have occurred;
- ii. Persons who are insolvent, bankrupt, or have entered into arrangements, assignments or compositions with creditors under Part X of the Bankruptcy Act 1966 (Cwlth) or a similar foreign law; and/or
- iii. Persons in relation to whom a civil penalty order has been made under the Superannuation Industry (Supervision) Act 1993.

A corporation may be disqualified if:

- i. a responsible officer person (a director, secretary or executive officer) is a disqualified person; or
- ii. there is an application to wind up the company; or
- iii. a receiver or provisional liquidator has been appointed.



## **SECTION FOUR: Members**

**This section contains the following documents:**

- 1. Register of Members;**
- 2. Application to become a member of the fund for each member;**
- 3. An acceptance of the application to become a member of the fund for each member;**
- 4. A nomination of beneficiary form for each member of the fund; and**
- 5. A 'Notice to New Members'.**

**Register Of Members: Matdreka Super Fund**

<b>Name and Address of Members</b>	<b>Date of Birth</b>	<b>Date Appointed</b>	<b>Date Terminated</b>
Michael Pankhurst 4 Lyons Place, Dubbo, NSW, 2830	21/01/1960	20/06/2017	
Jennifer Pankhurst 4 Lyons Place, Dubbo, NSW, 2830	01/08/1962	20/06/2017	

## APPLICATION FOR MEMBERSHIP: Matdreka Super Fund

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Member's Name and Address: Michael Pankhurst  
4 Lyons Place, Dubbo, NSW, 2830  
Date of Birth: 21/01/1960  
Date Joining Fund: 20th June 2017

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I hereby apply for Membership of the above named superannuation fund.

I understand that I shall be deemed to be bound by the Trust Deed governing the Fund. I acknowledge having been given a copy of a written "Notice to New Member" regarding my rights and those of my dependents to receive benefits under the Fund.

At the date of this application I am an eligible person for the purpose of the Trust Deed.

I understand that an "eligible person" means that

1. I have worked at least 10 hours per week in any period during the two years immediately prior to the date in which I joined the Fund and I received income in respect of that work.

**OR**

2. I have retired from remunerative employment and an amount of money is to be transferred into the Fund from another superannuation fund, approved deposit fund, life assurance company or registered organisation.

**OR**

3. I am a spouse under age 65 or if over the age of 65 years I am at least part time gainfully employed and the fund is able to accept contributions made by my spouse.

I hereby agree to the trustees appointed acting as Trustees of the above fund.

I also agree that the statements made by me in this application shall be the basis of my membership and declare that to the best of my knowledge I have not withheld any material information of which the Trustee should be advised.



**Signature of Applicant**  
Michael Pankhurst

Date 20/06/2017

## APPLICATION FOR MEMBERSHIP: Matdreka Super Fund

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Member's Name and Address: Jennifer Pankhurst  
4 Lyons Place, Dubbo, NSW, 2830  
Date of Birth: 01/08/1962  
Date Joining Fund: 20th June 2017

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I hereby apply for Membership of the above named superannuation fund.

I understand that I shall be deemed to be bound by the Trust Deed governing the Fund. I acknowledge having been given a copy of a written "Notice to New Member" regarding my rights and those of my dependents to receive benefits under the Fund.

At the date of this application I am an eligible person for the purpose of the Trust Deed.

I understand that an "eligible person" means that

1. I have worked at least 10 hours per week in any period during the two years immediately prior to the date in which I joined the Fund and I received income in respect of that work.

**OR**

2. I have retired from remunerative employment and an amount of money is to be transferred into the Fund from another superannuation fund, approved deposit fund, life assurance company or registered organisation.

**OR**

3. I am a spouse under age 65 or if over the age of 65 years I am at least part time gainfully employed and the fund is able to accept contributions made by my spouse.

I hereby agree to the trustees appointed acting as Trustees of the above fund.

I also agree that the statements made by me in this application shall be the basis of my membership and declare that to the best of my knowledge I have not withheld any material information of which the Trustee should be advised.

  
**Signature of Applicant**  
Jennifer Pankhurst

Date 20/06/2017

**Acceptance of Request to Join Fund**

20th June 2017

Dear Michael Pankhurst

**Re: Matdreka Super Fund**

We are pleased to advise you that your application to join the above named Fund has been accepted by the Trustees and we enclose the NOTICE TO NEW MEMBER of the Fund. This summary describes your rights as a Member to benefits under the Fund.

This letter also confirms that the Trustee(s) of the Fund at this time are:-

**Michael Pankhurst**

**Jennifer Pankhurst**

Should you have any queries regarding these matters, please do not hesitate to contact the Trustee(s).

Yours faithfully



Michael Pankhurst

**Trustee**

**Acceptance of Request to Join Fund**

20th June 2017

Dear Jennifer Pankhurst

**Re: Matdreka Super Fund**

We are pleased to advise you that your application to join the above named Fund has been accepted by the Trustees and we enclose the NOTICE TO NEW MEMBER of the Fund. This summary describes your rights as a Member to benefits under the Fund.

This letter also confirms that the Trustee(s) of the Fund at this time are:-

**Michael Pankhurst**

**Jennifer Pankhurst**

Should you have any queries regarding these matters, please do not hesitate to contact the Trustee(s).

Yours faithfully



Michael Pankhurst

**Trustee**

**Matdreka Super Fund**

**BINDING NOMINATION OF BENEFICIARY**

I, **Michael Pankhurst**

Require the Trustee to pay, upon my death, benefits to the person or persons, and in the proportions, specified below:

**1. Dependants**

SURNAME(S)	GIVEN NAME(S)	RELATIONSHIP	% OF BENEFIT
Pankhurst	Jennifer Lianne	Wife	100%

If however, Michael & Jennifer are deceased together all Matdreka Super Fund is to be shared between Matthew Stephen Pankhurst, Andrew Justin Pankhurst &

**AND/OR**

Kayla Jean Pankhurst  
(Children)

**2. Legal Personal Representative \_\_\_\_\_% OF BENEFIT**

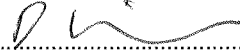
(to be distributed in accordance with my Will or relevant Intestacy laws)

Signature of Member: 

**Witnesses**

We, the undersigned, declare the Member signed and dated this form in our presence and that we are over 18 years of age; and we are neither Dependants specified above or the Legal Personal Representative of the Member.

Name of Witness: DANIEL HILE

Signature of Witness: 

Name of Witness: Anne Leak

Signature of Witness: 

this 20 day of June, 2017.

**Matdrek Super Fund**

**BINDING NOMINATION OF BENEFICIARY**

I, Jennifer Pankhurst

Require the Trustee to pay, upon my death, benefits to the person or persons, and in the proportions, specified below:

1. Dependants

SURNAME(S)	GIVEN NAME(S)	RELATIONSHIP	% OF BENEFIT
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Pankhurst Michael John Husband 100%

IF however Jennifer & Michael are deceased together all Matdrek Super Fund is to be equally shared between Matthew Stephen Pankhurst, Andrew Justin Pankhurst & Kayla Jean Pankhurst (Children)

**AND/OR**

2. Legal Personal Representative \_\_\_\_\_ % OF BENEFIT

(to be distributed in accordance with my Will or relevant Intestacy laws)

Signature of Member: 

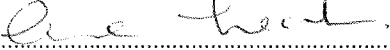
**Witnesses**

We, the undersigned, declare the Member signed and dated this form in our presence and that we are over 18 years of age; and we are neither Dependants specified above or the Legal Personal Representative of the Member.

Name of Witness: DANIEL HILE

Signature of Witness: 

Name of Witness: Anne Leak

Signature of Witness: 

this 20 day of June, 2017.



## **NOTICE TO NEW MEMBER**

Pursuant to the requirements of Division 2.3 of the Superannuation Industry (Supervision) Regulations (Copy to be given to each member).

Dear New Member

### **Membership of Matdreka Super Fund**

You have applied to become a Member of the above Superannuation Fund. To become a Member of the Fund you must complete and sign the accompanying application form.

This information will assist you in understanding your rights and benefits as a Member of the fund.

You are entitled to receive information that will reasonably assist you to:

- understand the main features of the Fund
- understanding your benefit entitlements
- understand the financial performance of the Fund
- make an informed decision regarding the management of the Fund

#### **1. Trust Deed**

The fund is governed by the fund Trust Deed, the provisions of which are available for inspection at any time from the registered office of the Trustee. The Fund is established as a regulated complying self managed superannuation fund the income of which is eligible to be taxed at a concessional rate of 15%. The Trust Deed for the Fund sets out all the terms and conditions upon which the Trustee administers the Fund, and in the event of any question of interpretation arising, the provisions of the Trust Deed will prevail unless inconsistent with SIS in which case the SIS provisions will apply. The Fund will be continuously operated as a regulated superannuation fund in accordance with the requirements of SIS and the SIS Regulations.

#### **2. Contributions**

The fund may accept contributions made by you or your employer or from any person entitled to make contributions to the Fund on your behalf. The amount of tax deductible employer contributions are subject to a maximum age based yearly limit. The amount of deductible contributions that may be made by self employed persons is also subject to an age based limit if you are self employed or substantially self employed. These maximum amounts will vary each year as published by the Regulatory Authority as they are indexed by Average Weekly Ordinary Time Earnings (AWOTE) each year. Contributions made to the Fund can be less than the maximum deductible contributions and unlimited Member contributions can be made to the fund where no tax deduction is claimed. Contributions are credited to your Member Accumulation Account.

#### **3. Payment of Benefits**

Your benefit entitlement in the Fund is the total amount held in your accumulation account which comprises all contributions and rollover payments credited to your accumulation account together with earnings on those amounts less your share of all expenses and taxation.

Benefits are payable as follows:

##### **a. Retirement at Normal Retirement Age (normally age 65)**

A Member is entitled to a lump sum benefit of an amount equal to the Member's accumulation account on retirement from gainful employment if self employed, or on retirement from employment if an employee.

b. Total and Permanent Disablement

The Benefits payable in respect of total and permanent disablement are the same as those payable under paragraph (a) above. The Benefit will include the amount received by the Trustee from a policy of insurance (if any) effected in relation to a Member which is received as a result of the total and permanent disablement of the Member. Qualifying for this benefit will be determined in accordance with the policy terms and conditions. A copy of the terms and conditions of the policy can be inspected upon your request.

c. Temporary Total Disablement

If the Trustee has taken out a policy of insurance and you qualify as being disabled within the meaning of that policy then you will be entitled to the amount payable under that policy as an income benefit.

d. Death

In the event of your death the Trustee must pay to any or all of your dependants or to your estate the full amount standing to the credit of your accumulation account as a lump sum. Added to this amount will be any amount received by the Trustee under an insurance policy (if any) received by the Trustee as a result of your death.

Members have the right to determine how they wish their death benefit to be paid and to have their decision binding on the Trustee. You may complete the accompanying binding death benefit nomination form and have it witnessed by two independent witnesses and complete the direction specifying the percentage and to whom the Trustee is to pay the benefit. The benefit must be paid either to your estate or to the dependants you specify in the nomination (or both). A binding death benefit nomination in the appropriate form is attached.

**4. Payment of Benefits as a Pension**

Any Member of the Fund who is entitled to a lump sum Benefit may apply to the Trustee to receive their benefit by way of a pension instead of a lump sum benefit. Certain rules apply to the payment of a pension and the alternatives should be discussed with the Trustee prior to a Member exercising this election.

**5. Preserved Benefits**

Generally Members benefits are payable only on retirement. The Government requires that you cannot access your benefits until you retire; these benefits are preserved, until you retire after the age of 60 years or become disabled. In limited circumstances preserved benefits may be accessed earlier when on compassionate grounds or the Regulator approves a release of benefits to a Member.

**6. Tax on Payments**

Where a Member of the Fund becomes eligible to receive a benefit, the Trustee is required to deduct tax from some components of the payments made to the Member. Where the Member's benefits are rolled over from another superannuation fund, no tax is payable until the benefit is ultimately received by the Member in the future. Details of any proposed roll over payments should be discussed with the Trustee.

**7. Trustee**

Trustees are required to be Members and all Members must be Trustees except in limited situations. The Trust Deed sets out machinery to change the Trustee if a Member leaves the fund or a Trustee becomes disqualified.

## **8. General Fund Information**

### **a. Investments**

The Trustee has an investment strategy in relation to the investment of the Fund assets. You may request details of the strategy from the Trustee.

### **b. Loans**

No part of the Fund assets are available for loans or to provide financial assistance to Members. Nor is it possible for any entitlement from the Fund to be used as security for a borrowing from another source.

### **c. Taxation**

The tax-deductible contributions to the Fund will be taxable in the hands of the Trustee at the rate of 15%. Employees are not entitled to deductions for any of their personal contributions where there is employer support unless the employee is substantially self employed (less than 10% of income is from employment with an employer).

Undeducted contributions made by Members are not taxable.

The fund may also pay tax from a Member's account including the superannuation surcharge in respect of a high income earning Member as required.

### **d. Medical Evidence**

The Trust Deed provides the power for the Trustee to effect insurance in respect of death and disability. The insurance company request certain information in relation to your medical condition. This may require you to undertake a medical examination and to provide full details of your medical history to the Trustee. Medical evidence may also be required from you as part of the assessment for any disablement claim.

### **e. Deed Variation**

The Trust Deed contains a provision for the Trustee to effect a variation to the Trust Deed. No variation which is undertaken can reduce the accrued benefits of a Member without the consent of that Member except in circumstances where the reduction is required to enable the Fund to continue to comply with the regulatory requirements, or any Member affected consents to the reduction or the Regulatory Authority consents to the reduction.

### **f. Fund Expenses, Fees and Other Charges**

Administration expenses and other costs of the operation of the Fund are debited to Member's Accumulation Accounts including the costs of any policy of insurance; tax payable and other costs, charges and expenses incurred by the Trustee in the administration of the Fund such as the costs of preparing and lodging the required returns with the appropriate Regulatory Authority.

## **9. Tax File Numbers**

New Members joining the Fund may provide details to the Trustee of his or her tax file number ("TFN") within 30 days of the admission of the new Member. Provision of the TFN to the Trustee is not mandatory, however, failure to provide the TFN could result in part or the whole of the contributions paid in the Fund in respect of the Member being subject to the full 15% surcharge, or in the Member's benefit being taxed at the top personal marginal rate of tax plus the Medicare levy.

An ATO Individual Tax File Number Notification form is attached to the application for Membership and should be completed at the same time as the Application for Membership.

## **10. Contact Details**

If you require further information, inquiries regarding your benefit entitlements in the Fund or request for any additional information should be directed to the Fund's Trustee.

## **SECTION FIVE: Investment Strategy**

This section contains the following documents:

1. Minutes of a meeting to adopt the investment strategy of the Fund; and
2. Blank space in which to write the investment strategy.

### **About the Investment Strategy**

The superannuation law requires that all self managed superannuation funds have a written investment strategy.

We recommend that you document your strategy as soon as possible and make the details available to all Members of the fund and you retain any written financial advantage supporting your strategy.

The strategy is not required to be lodged for approval but should be recorded in writing and be available for inspection by the Fund Auditor. The strategy must be in line with the dominant purpose for which the Fund has been established - to provide retirement benefits for the members of the Fund.

**MINUTES OF A MEETING OF THE TRUSTEES OF THE MATDREKA SUPER FUND**

HELD AT .....

ON THE 20th June 2017

**PRESENT:**

Michael Pankhurst  
Jennifer Pankhurst

**CHAIR**

Michael Pankhurst was elected Chairperson

**INVESTMENT STRATEGY  
REQUIREMENT**

The Chairperson reported that the Fund is required to formulate and record an investment strategy before the end of the financial year if it is to comply with the superannuation law and be eligible for income tax concessions after that date.

**FORMULATION OF  
INVESTMENT STRATEGY**

The Chairperson advised the meeting that an investment strategy had been determined which took account of the Member's retirement requirements and which the Trustees believed maximised the retirement benefits able to be paid to the Members. This involved a consideration of the ability of the fund to diversify its investments and the relative expected returns from all investments undertaken or able to be undertaken by the Fund.

The investment objective is to achieve strong growth over the long term whilst seeking opportunities for immediate or short term profits as they may arise. The objective is to invest in a manner whereby the income from investments will exceed the then prevailing rate of inflation by 2% and thereby over the long term preserve the value of the capital and achieve an overall increase in the value of the investments in the fund. The assets are to be held in a manner that will enable the fund to discharge existing and prospective liabilities

The Trustees considered the Fund's expected cash flow, the expected risk implicit in the investments, the expected return, the general suitability of the investment including its liquidity and the time for expected payments of benefits to Members and the preferences of Members to accept the transfer of an asset in lieu of a cash payment when a benefit is required to be paid.

The Trustees determined that having regard to the Fund's circumstances it is advisable to diversify the Fund's investments within a range of investments within the investment objective.

**IT WAS RESOLVED THAT**

The Trustees adopt the attached investment strategy and resolve to review the strategy after 12 months based on the Fund's circumstances at that time and prevailing investment conditions unless at such earlier time as changing economic cycles may require.

**CLOSED:**

There being no further business the meeting was then closed.  
Confirmed as a true record of the meeting held this day.



Chairperson





## Superannuation Individual Tax File Number Notification via Fund Trustee or Employer

**This form may only be used to pass on your tax file number to your superannuation fund.**

*(Please print neatly in BLOCK LETTERS with a black or blue pen only).*

Fund Name: Matdreka Super Fund

Fund Address: 4 Lyons Place, Dubbo NSW 2830

Fund Telephone No: ~~0413026771~~ 0467556223

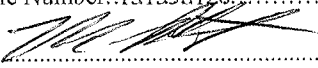
Your Surname/Family Name: Pankhurst.....

Given Names: Michael..... Date of Birth: 21/01/1960

Membership Number: ..... Sex: Male / Female  
(if known)

**I agree to provide my Tax File Number: Yes / No**

My Tax File Number: 131338128.....

Signature: ..... Date: / /

Collection of tax file numbers is authorised by tax laws, the *Superannuation Industry (Supervision) Act 1993* and the *Privacy Act 1988*. Changes to the Tax File Number (TFN) law require trustees to ask you to provide your TFN to your superannuation fund. By completing this form and providing it to your fund will allow your fund trustee to use your TFN for the purposes contained in the *Superannuation Industry (Supervision) Act 1993*, for paying eligible termination payments and for surcharge purposes.

The purposes currently authorised include:

- taxing Eligible Termination Payments at concessional rates;
- finding and amalgamating your superannuation benefits where insufficient information is available;
- passing your TFN to the Australian Taxation Office where you receive a benefit or have unclaimed superannuation money after reaching the aged pension age; and
- allowing the trustee of your superannuation fund or Retirement Savings Account to provide your TFN to another superannuation provider receiving any benefits you may transfer. Your trustee won't pass your TFN to any other provider if you tell the trustee in writing that you don't want them to pass it on.
- allowing your superannuation provider to quote your TFN to the ATO when reporting details of contributions for the purposes of the Superannuation Contributions Tax (Surcharge).

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

- you may pay more tax on your superannuation benefits than you have to (you will get this back at the end of the financial year in your income tax assessment);
- it may be more difficult to find your superannuation benefits if you change address without notifying your fund or to amalgamate any multiple superannuation accounts; and
- the surcharge may apply to your superannuation contributions.

The lawful purposes for which your TFN can be used and the consequences of not quoting your TFN may change in future, as a result of legislative change.

For more information, please contact your fund or the ATO Superannuation Helpline (13 10 20).

# Trustee declaration

To be completed by new trustees and directors of corporate trustees of self-managed super funds.



Read this declaration in conjunction with *Self-managed super funds – key messages for trustees* (NAT 71128).





## WHO SHOULD COMPLETE THIS DECLARATION?

You must complete this declaration if you become a **new** trustee (or director of a corporate trustee) of:

- a **new** self-managed super fund (SMSF)
- an **existing** SMSF.

You must sign this declaration within 21 days of becoming a trustee or director of a corporate trustee of an SMSF.

A separate declaration is required to be completed and signed by each and every new trustee (or director of a corporate trustee).

You must also complete the declaration if you are a legal personal representative who has been appointed as trustee (or director of a corporate trustee) on behalf of a:

- member who is under a legal disability (usually a member under 18 years old)
- member for whom you hold an enduring power of attorney
- deceased member.

## INFORMATION YOU NEED TO READ

Make sure you read *Self-managed super funds – key messages for trustees* (NAT 71128). It highlights some of the key points from the declaration and some important messages for you.

## BEFORE COMPLETING THIS DECLARATION

Before you complete and sign this declaration, make sure you:

- read each section
- understand **all** the information it contains.

➤ If you have any difficulties completing this declaration or you do not fully understand the information it contains:

- speak to a professional adviser
- visit [www.ato.gov.au/smsf](http://www.ato.gov.au/smsf)
- phone us on **13 10 20**.

If you are not familiar with some of the terms used in this declaration or you need more information, refer to *Running a self-managed super fund* (NAT 11032).

## WHEN COMPLETING THIS DECLARATION

When you complete this declaration, remember to:

- insert the full name of the fund at the beginning
- sign and date it
- ensure it is signed and dated by a witness (anyone 18 years old or over).

## WHAT SHOULD YOU DO WITH THE DECLARATION?

You must keep your completed declaration for at least 10 years and make it available to us if we request it.

We recommend that you keep a copy of your completed declaration and refer to it and *Self-managed super funds – key messages for trustees* (NAT 71128), which is available on the ATO website, when making important decisions, such as those relating to choosing investments, accepting contributions and paying benefits.

❗ Do not send your completed declaration to us.



## Self-managed super fund trustee declaration

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

Fund name

Matdreka 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
- 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.

### 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 on behalf of the fund 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).

**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.

**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
- ensure that an approved auditor is appointed within the prescribed period (currently this is no later than 31 days before the due date for lodgment of the fund's annual return but this may change to 45 days) to audit the fund for each income year, and provide that auditor with documents 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 of the fund being wound up or after becoming aware that the fund has ceased to be an SMSF.

**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 Australian Prudential Regulation Authority (APRA) regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

Michael Pankhurst

Trustee's or director's signature




Date

Day: 20 / Month: 06 / Year: 2017

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

DANIEL HILE

Witness' signature



Date

Day: 20 / Month: 06 / Year: 2017





## Superannuation Individual Tax File Number Notification via Fund Trustee or Employer

**This form may only be used to pass on your tax file number to your superannuation fund.**

*(Please print neatly in BLOCK LETTERS with a black or blue pen only).*

Fund Name: Matdreka Super Fund

Fund Address: 4 Lyons Place, Dubbo NSW 2830

Fund Telephone No: 0413026771

Your Surname/Family Name: Pankhurst.....

Given Names: Jennifer..... Date of Birth: 01/08/1962

Membership Number: ..... Sex: Male / Female  
(if known)

**I agree to provide my Tax File Number: Yes / No**

My Tax File Number: 263806880.....

Signature: ..... Date: / /

Collection of tax file numbers is authorised by tax laws, the *Superannuation Industry (Supervision) Act 1993* and the *Privacy Act 1988*. Changes to the Tax File Number (TFN) law require trustees to ask you to provide your TFN to your superannuation fund. By completing this form and providing it to your fund will allow your fund trustee to use your TFN for the purposes contained in the *Superannuation Industry (Supervision) Act 1993*, for paying eligible termination payments and for surcharge purposes.

The purposes currently authorised include:

- taxing Eligible Termination Payments at concessional rates;
  - finding and amalgamating your superannuation benefits where insufficient information is available;
  - passing your TFN to the Australian Taxation Office where you receive a benefit or have unclaimed superannuation money after reaching the aged pension age; and
  - allowing the trustee of your superannuation fund or Retirement Savings Account to provide your TFN to another superannuation provider receiving any benefits you may transfer. Your trustee won't pass your TFN to any other provider if you tell the trustee in writing that you don't want them to pass it on.
  - allowing your superannuation provider to quote your TFN to the ATO when reporting details of contributions for the purposes of the Superannuation Contributions Tax (Surcharge).
- You are not required to provide your TFN. Declining to quote your TFN is not an offence. However, if you do not give your superannuation provider your TFN, either now or later:
- you may pay more tax on your superannuation benefits than you have to (you will get this back at the end of the financial year in your income tax assessment);
  - it may be more difficult to find your superannuation benefits if you change address without notifying your fund or to amalgamate any multiple superannuation accounts; and
  - the surcharge may apply to your superannuation contributions.

The lawful purposes for which your TFN can be used and the consequences of not quoting your TFN may change in future, as a result of legislative change.

For more information, please contact your fund or the ATO Superannuation Helpline (13 10 20).

# Trustee declaration

To be completed by new trustees and directors of corporate trustees of self-managed super funds.



Read this declaration in conjunction with *Self-managed super funds – key messages for trustees* (NAT 71128).



## WHO SHOULD COMPLETE THIS DECLARATION?

You must complete this declaration if you become a **new** trustee (or director of a corporate trustee) of:

- a **new** self-managed super fund (SMSF)
- an **existing** SMSF.

You must sign this declaration within 21 days of becoming a trustee or director of a corporate trustee of an SMSF.

A separate declaration is required to be completed and signed by each and every new trustee (or director of a corporate trustee).

You must also complete the declaration if you are a legal personal representative who has been appointed as trustee (or director of a corporate trustee) on behalf of a:

- member who is under a legal disability (usually a member under 18 years old)
- member for whom you hold an enduring power of attorney
- deceased member.

## INFORMATION YOU NEED TO READ

Make sure you read *Self-managed super funds – key messages for trustees* (NAT 71128). It highlights some of the key points from the declaration and some important messages for you.

## BEFORE COMPLETING THIS DECLARATION

Before you complete and sign this declaration, make sure you:

- read each section
- understand all the information it contains.

➤ If you have any difficulties completing this declaration or you do not fully understand the information it contains:

- speak to a professional adviser
- visit [www.ato.gov.au/smsf](http://www.ato.gov.au/smsf)
- phone us on **13 10 20**.

If you are not familiar with some of the terms used in this declaration or you need more information, refer to *Running a self-managed super fund* (NAT 11032).

## WHEN COMPLETING THIS DECLARATION

When you complete this declaration, remember to:

- insert the full name of the fund at the beginning
- sign and date it
- ensure it is signed and dated by a witness (anyone 18 years old or over).

## WHAT SHOULD YOU DO WITH THE DECLARATION?

You must keep your completed declaration for at least 10 years and make it available to us if we request it.

We recommend that you keep a copy of your completed declaration and refer to it and *Self-managed super funds – key messages for trustees* (NAT 71128), which is available on the ATO website, when making important decisions, such as those relating to choosing investments, accepting contributions and paying benefits.



Do not send your completed declaration to us.



# Self-managed super fund trustee declaration

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

Fund name

Matdreka 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
- 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.

## 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 on behalf of the fund 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).

**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.

**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
- ensure that an approved auditor is appointed within the prescribed period (currently this is no later than 31 days before the due date for lodgment of the fund's annual return but this may change to 45 days) to audit the fund for each income year, and provide that auditor with documents 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 of the fund being wound up or after becoming aware that the fund has ceased to be an SMSF.

**DECLARATION**

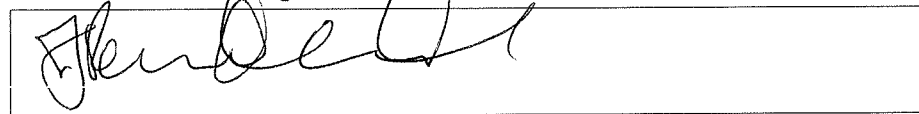
By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self-managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- 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 Australian Prudential Regulation Authority (APRA) regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

Jennifer Pankhurst

Trustee's or director's signature



Date

Day: 20 / Month: 06 / Year: 2017

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

DANIEL HILE

Witness' signature



Date

Day: 20 / Month: 06 / Year: 2017

