

BRASH
Superannuation Fund

**DEED OF
APPOINTMENT NEW
TRUSTEE**

SUPER NOTIONS

P. O Box 145
ORMOND Vic 3204
Tel (03) 9578 4810
Fax (03) 9578 4313

DEED of APPOINTMENT NEW TRUSTEE

Parties

Norman Trevor BRASH in the capacity of Fund member of
46 Stirling Road. **CROYDON 3136**

(Members)

and

Norman Trevor BRASH in the capacity of Fund Trustee of
46 Stirling Road. **CROYDON 3136**

(Continuing Trustee)

and

Suzanne Sarah BRASH in the capacity of Fund Trustee of
40 Winnetka Drive **LILYDALE 3140**

(Retiring Trustee)

and

Gabrielle Mary Margaret Harvey-Brash
46 Stirling Road. **CROYDON 3136**

(New Trustee)

Background

1. The fund was established by the original deed.
2. The continuing trustee is the fund's trustee.
3. Under clause IV 26 of the original deed the continuing trustee wishes to appoint the new trustee as a fund trustee.
4. The new trustee has agreed to consent to its appointment as the fund's trustee.
5. The parties wish to enter this deed to give effect to their common intentions.

This Deed witnesses

The parties confirm the fund's history

1. The parties confirm that:
 - the fund was established on 04/06/1998 by the original deed.
 - the continuing trustee is the fund's trustee.
 - the member is the fund's only member.

Appointment of new trustee

2. Under clause IV 26 of the original deed the continuing trustees appoint the new trustee as the fund's trustee from the close of business on the date of this deed.
3. The new trustee must act for all purposes as the fund's trustee in accordance with the original deed's terms.

New trustee accepts appointment

4. From the close of business on the date of this deed, the new trustee:
 - accepts its appointment as the fund's trustee;
 - agrees to be bound by the original deed, as varied by this deed; and
 - undertakes all the obligations of the fund's trustee.

Compliance with original deed

5. The parties agree that in signing this deed all relevant requirements of the original deed have been met, including any requirements of a party or parties to provide written notice.
6. The parties do not consider that this deed:
 - will reduce or adversely affect a member's right to entitlements accrued before the date of this deed; or
 - will reduce the amount of any other entitlement (whether or not it is currently payable) originating before the date of this deed.
7. Furthermore, the parties do not consider that this Deed will allow any further amendments to the Governing Rules that will have the effect of:

- unless the fund's trustee is and remains a corporation, altering the fund's purpose so that it is no longer solely or primarily the provision of old age pensions under superannuation law; or
- unless the fund's sole or primary purpose is to provide old age pensions to members, allowing any person except a corporation to be appointed a Fund trustee.

Compliance with superannuation law

8. The parties agree that, in signing this deed, all relevant requirements of superannuation law have been met.
9. As required by superannuation law, the parties will notify the fund's member of the effect of this deed.

Interpretation

10. Unless the context otherwise requires, the words defined in the original deed have the same meaning wherever they appear in this deed.
11. A reference in this deed to the singular includes the plural and vice versa.
12. If a party consists of more than one person, this deeds binds them jointly and each of them severally.
13. In this deed, unless expressed or implied to the contrary:

Deed means this Change of Trustee Deed for a Self-Managed Superannuation Fund.

Fund means the trust known as 'Brash' Superannuation Fund established by the original deed.

Governing Rules has the same meaning as in the *Superannuation Industry (Supervision) Act 1993*.

Original deed means the document entitled Brash Superannuation Fund made on 04/06/1998.

Retire includes retire, resign, vacate or any other term or phrase which means and gives effect to the retiring trustees ceasing to hold the office of fund trustee.

Superannuation law means any law of the Commonwealth of Australia which deals with any aspect of superannuation or taxation in relation to superannuation, or any lawful requirement in relation to the fund of the Commissioner of Taxation, the Australian Taxation Office, Australian Prudential Regulatory Authority, Australian Securities and Investments Commission or any other body that has responsibility in connection with the regulation of superannuation. It includes any change to any superannuation law after the date of this deed. It also includes any proposed law or lawful requirement that the trustee believes may have retrospective effect.

SCHEDULE A

NAME OF FUND:

BRASH
Superannuation Fund

COMMENCING DATE OF THIS FUND:

04/06/1998

EXECUTION DATE OF THIS DEED:

24-01-2016.

FOUNDER:

Norman Brash

TRUSTEE(s):

Norman Trevor Brash
Gabrielle Mary Harvey-Brash

PARTICIPATING EMPLOYER
(IF APPLICABLE)

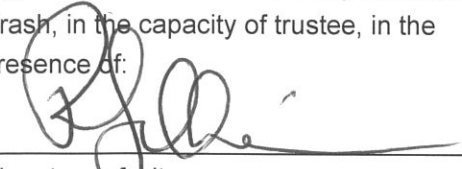
NOTE:

Execution

Executed as a deed.

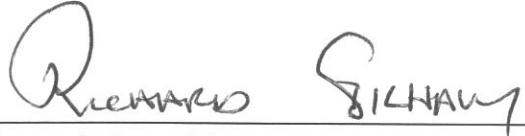
Dated: 24-01-2016.

Signed sealed and delivered by Norman Brash, in the capacity of trustee, in the presence of:



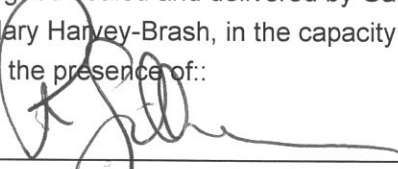
Signature of witness

Norman Brash



Name of witness (please print)

Signed sealed and delivered by Gabrielle Mary Harvey-Brash, in the capacity of trustee, in the presence of:



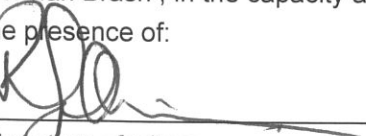
Signature of witness

Gabrielle Mary Harvey-Brash




Name of witness (please print)

Signed sealed and delivered by Norman Brash, in the capacity as member, in the presence of:



Signature of witness

Norman Brash



Name of witness (please print)

BRASH
Superannuation Fund

REGISTER OF TRUSTEES

Trustee(s)	Address	Date Appointed	Remarks
Norman Trevor Brash	46 Stirling Road. CROYDON 3136	04/06/1998	
Gabrielle Mary Harvey-Brash	46 Stirling Road. CROYDON 3136	01/07/2015	

NOTICE OF CONSENT TO ACT AS TRUSTEE

I, Norman Trevor Brash

of 46 Stirling Road.
CROYDON 3136

HEREBY DECLARE that I am not a disqualified person as defined by SIS and am therefore not disqualified from acting as a trustee of a superannuation fund under SIS

HEREBY DECLARE that I am aware of my responsibilities under the trust deed having read and fully understood it's contents, and also my responsibilities under SIS


AND HEREBY CONSENT to act as Trustee of the BRASH Superannuation Fund.

Constituted on the 04/06/1998 (date of establishment)

AND AGREE to execute the Trust Deed and to administer the Fund in accordance with the terms and conditions set out in the Trust Deed and other legislative requirements.

I UNDERTAKE to notify any other trustee of the Fund and the Insurance Superannuation Commission in writing if I am for any reason disqualified from continuing to act as a trustee.

Dated 24-01-2016

Signed: 

* Note re Disqualified Person (SIS Section 120)

The following are defined by SIS as being disqualified persons:

1. persons who have at any time been convicted of an offence in respect of dishonest conduct.
2. a civil penalty order was made against the person; or
3. a person is an insolvent under administration.

A body corporate trustee is a disqualified person where

1. a receiver and manager has been appointed in respect of property beneficially owned by the body;
2. an official manager or deputy official manager has been appointed in respect of the body;
3. a provisional liquidator has been appointed in respect of the body;
4. the body has begun to be wound up.

N.B A director of a Corporate trustee must not be a disqualified person as described above.

NOTICE OF CONSENT TO ACT AS TRUSTEE

I, Gabrielle Mary Harvey-Brash

of 46 Stirling Road.
CROYDON 3136

HEREBY DECLARE that I am not a disqualified person as defined by SIS and am therefore not disqualified from acting as a trustee of a superannuation fund under SIS

HEREBY DECLARE that I am aware of my responsibilities under the trust deed having read and fully understood it's contents, and also my responsibilities under SIS

AND HEREBY CONSENT to act as Trustee of the BRASH Superannuation Fund.

Constituted on the 04/06/1998 (date of establishment)

AND AGREE to execute the Trust Deed and to administer the Fund in accordance with the terms and conditions set out in the Trust Deed and other legislative requirements.

I UNDERTAKE to notify any other trustee of the Fund and the Insurance Superannuation Commission in writing if I am for any reason disqualified from continuing to act as a trustee.

Dated... 24-01-2016

Signed: Gabrielle Mary Brash

* Note re Disqualified Person (SIS Section 120)

The following are defined by SIS as being disqualified persons:

4. persons who have at any time been convicted of an offence in respect of dishonest conduct.
5. a civil penalty order was made against the person; or
6. a person is an insolvent under administration.

A body corporate trustee is a disqualified person where

5. a receiver and manager has been appointed in respect of property beneficially owned by the body;
6. an official manager or deputy official manager has been appointed in respect of the body;
7. a provisional liquidator has been appointed in respect of the body;
8. the body has begun to be wound up.

N.B A director of a Corporate trustee must not be a disqualified person as described above.

BRASH
Superannuation Fund

REGISTER OF MEMBERS

Member	Name & Address	Relevant Dates	
1	Norman Trevor BRASH 46 Stirling Road. CROYDON 3136	Date Of Birth Joined Service Joined Fund Terminated	24/08/1954 04/06/1998
2	Gabrielle Mary Harvey-Brash 46 Stirling Road. CROYDON 3136	Date Of Birth Joined Service Joined Fund Terminated	28/12/1959 01/07/2015
3		Date Of Birth Joined Service Joined Fund Terminated	

BRASH
Superannuation Fund

APPROVAL BY FOUNDER

To:
("Trustee")

RE: Replacement of Trustee

As the Founder of the abovementioned Fund, I wish to confirm that I have been advised that you seek approval to appoint new trustee(s) to the Fund. You have indicated that the change is permissible under clause IV 26 of the Trust deed, and within the provisions of the Superannuation Industry (Supervision) Act 1993 and related legislation.

You also believe that the change will not prejudice the value of the Fund or Benefit Entitlements of the Member/s



.....
Norman Brash
("Founder")

Date: 24-01-2016
.....

BRASH
Superannuation Fund

Norman Trevor BRASH
of 46 Stirling Road.
CROYDON 3136

Dear Member,

This letter is to advise that A NEW DEED OF APPOINTMENT has been executed appointing new Trustees to the Superannuation Fund.

Benefits already accrued to your name and the governing rules to the deed will not be diminished as a result of these changes.

Please sign the attached Form of Agreement to indicate you have read and are in agreement with the contents of this letter and return it to the undersigned as soon as possible.

If you have any queries in relation to this letter, please contact the Trustees.

Yours faithfully,

Handwritten signature in black ink, consisting of three distinct, stylized characters.

NOTICE OF RESIGNATION AS TRUSTEE

**BRASH
Superannuation Fund**

I Suzanne Brash Trustee of 40 Wwinnetka Drive LILYDALE 3140, hereby give notice of my resignation as Trustee of the BRASH Superannuation Fund, such resignation is to become effective on the date shown below.

DATE OF RESIGNATION :

30 / 06 / 2015

SIGNED SEALED and DELIVERED by
the said **Suzanne Sarah Brash** in the
presence of: -

)
)
)


.....

