

Diltan Superannuation Fund

**Deed of Variation, Governing Rules
and Product Disclosure Statement**

Prepared under license from:
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DEED OF VARIATION
OF
Trust Deed
Trust Distribution Fund

THIS DEED IS DATED the _____ day of _____ 20____

WITNESSETH

That the Trust Distribution Fund Pty Ltd (ACN 157 305 267) of 23 Gunwaha Way, Waverley NSW 1522

is a company duly registered in New South Wales and its registered office is at 23 Gunwaha Way, Waverley NSW 1522 and that the Trust Distribution Fund Pty Ltd is a company duly registered in New South Wales

WITNESSETH

1. That the Trust Distribution Fund Pty Ltd acts as Trustee of Trust Distribution Fund Pty Ltd

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2. That the Trust Distribution Fund Pty Ltd and the Trust Distribution Fund Pty Ltd (as defined in the Trust Deed) are the same person

3. That the Trust Deed was amended by deed dated 20/11/2014 (the Original Deed)

4. That the Trust Deed as amended by deed dated 20/11/2014 (the Original Deed) and the Trust Distribution Fund Pty Ltd (as defined in the Original Deed) have agreed to vary the Original Deed by deed dated 20/11/2014 (the New Deed) and the Trust Distribution Fund Pty Ltd (as defined in the New Deed) has agreed to vary the Original Deed by deed dated 20/11/2014

5. That the Trust Deed as amended by deed dated 20/11/2014 (the Original Deed) and the Trust Distribution Fund Pty Ltd (as defined in the Original Deed) have agreed to vary the Original Deed by deed dated 20/11/2014 (the New Deed) and the Trust Distribution Fund Pty Ltd (as defined in the New Deed) has agreed to vary the Original Deed by deed dated 20/11/2014 (the New Deed) and the Trust Distribution Fund Pty Ltd (as defined in the New Deed) has agreed to vary the Original Deed by deed dated 20/11/2014 (the New Deed)

6. Notwithstanding anything contained in the Original Deed to the contrary, this Deed shall not affect or vary the Trust Distribution Fund Pty Ltd (as defined in the Original Deed)

- (a) vary the object of the Fund;
- (b) amend the benefits and entitlements payable to Members;
- (c) amend the rights and benefits of existing Members in a manner which is not inconsistent with the objects of the Fund;
- (d) amend the powers of any relevant Act or Regulation or the Trust Deed, or any agreement or variation of any agreement, in relation to the Trust Distribution Fund Pty Ltd.

DEED OF VARIATION

OF

Diltan Superannuation Fund

DATE HERE

THIS DEED IS DATED the

5th

day of

February

20

19

PARTIES:

Diltan Superannuation Fund Pty Ltd (ACN 167 938 203) of 23 Summons Way, Warnbro WA 6169
("the Trustee")

Dillon Robert Sedevcic of Route De Begnins 15 Vich 1267 Switzerland and Tania Jean Sedevcic of
Route De Begnins 15 Vich 1267 Switzerland ("the Members")

RECITALS:

- a) **Diltan Superannuation Fund Pty Ltd** acts as Trustee of Diltan Superannuation Fund ("the Fund").
- b) **Dillon Robert Sedevcic and Tania Jean Sedevcic** are the Members of the Fund ("the Members").
- c) The Fund was established by deed dated 07/02/2014 ("the Original Deed").
- d) The Trustee, at the request of the Members, wishes to amend the Deed by substituting in place of the existing Clauses those Rules ("the New Rules") in the form annexed and marked as "Annexure A" to this Deed.
- e) Clause 52.1 of the Fund's existing Deed allows the Trustee to vary the Deed so long as no amendment will reduce a Member's Benefit (as defined in those Clauses). The purpose of the amendment is to enable the Trustee and the Members to comply with the new superannuation measures by adopting the governing rules as the governing rules of the Fund.
- f) Notwithstanding anything contained in this Deed to the contrary, this Deed does not and shall not:
 - (i) alter the objects of the Fund;
 - (ii) reduce the benefits and entitlements payable to Members;
 - (iii) alter the rights and benefits of existing Members in a manner such that, on the whole, equity between Members is not maintained; or
 - (iv) offend the provisions of any relevant Act or Regulation as they exist, from time to time, or any amendments or variation of any relevant Act or Regulation made after the date of this Deed.

g) To the extent that any one or more of the provisions of this Deed are not able, allowed or required to take effect pursuant to a provision of the Superannuation Industry Supervision Act 1993 as amended or regulation made for the purposes of that statutory enactment, the provisions are amended by deletion to the extent that:

- (i) it is necessary to remove that or those restrictions beyond the validity of the amendments, or any part of them made pursuant to this Deed; and;
- (ii) the deletion of part or all of the provisions does not result in a resettlement of the Fund; and
- (iii) amendments made by this Deed are deemed to have occurred after the deletion referred to in this clause.

h) This Deed shall not take effect, to the extent that any one or more of the provisions of this Deed are not able, allowed, or required to take effect pursuant to the provisions of any regulation made for the purpose of that statutory enactment; and the provision is not capable of amendment to enable or allow this Deed to take effect.

PROVISIONS:

1. Replacement of Rules:

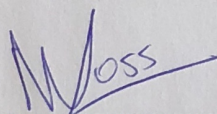
The existing Clauses of the Fund are replaced in their entirety with the New Rules as marked "Annexure A" to this Deed, pursuant to Clause 52.1 of the Fund's governing rules.

2. No Resettlement at Law:

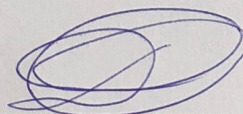
Any amendment to the Clauses of the Fund affected by this Deed does not result in a resettlement of the Fund at law, equity or under any Superannuation Law.

EXECUTED AS A DEED BY:

Executed for and on behalf of Diltan Superannuation Fund Pty Ltd (ACN: 167 938 203), in its capacity as Trustee of the Fund in accordance with section 127(1) of the *Corporations Act 2001 (Cth)*.



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Signature of Sole Director/Sole Secretary



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Signature of Director/Secretary

Mindy Mitchell

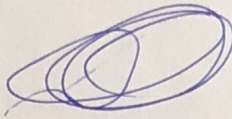
.....
Name of Sole Director/Sole Secretary

Dillon Sedovic

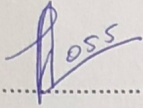
.....
Name of Director/Secretary

Executed by Dillon Robert Sedevcic in the presence of:

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Witness

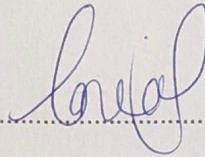
TOMMY ROSS

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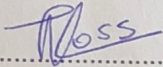
Witness Full Name

Executed by Tania Jean Sedevcic in the presence of:

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Witness

TOMMY ROSS

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Witness Full Name

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