

**Philip Andrew Adley
Continuing Trustee**

- and -

**Emma Louise Adley
Retiring Trustee**

- and -

**Nichole June Adley
Additional Trustee**

- and -

**Philip Andrew Adley
Member**

**Deed of Removal and Appointment of Trustee for
ADLEY SUPER FUND**

**Prepared for NTAA Corporate by
Australian Business Structures
Order: 297888**

DEED OF REMOVAL AND APPOINTMENT OF TRUSTEE

THIS DEED OF REMOVAL AND APPOINTMENT OF TRUSTEE is made on the day specified in Item 1 of the Schedule between the Continuing Trustee named and described at item 4 of the Schedule ("the Continuing Trustee"), the Additional Trustee named and described at item 5 of the Schedule ("the Additional Trustee"), the Retiring Trustee named and described at item 6 of the Schedule ("the Retiring Trustee") and the Member named and described at item 7 of the Schedule ("the Member").

RECITALS

- A. The Fund named at item 2 of the Schedule was established on the date specified at item 3 of the Schedule under a deed of trust ("the Trust Deed").
- B. The Member wishes to remove the Retiring Trustee and to appoint the Additional Trustee as an additional trustee of the Fund along with the Continuing Trustee.
- C. The Additional Trustee has agreed to act as an additional trustee of the Fund along with the Continuing Trustee.
- D. These recitals form part of this deed.

DEED

THE PARTIES AGREE:

1 REMOVAL OF RETIRING TRUSTEE

In exercise of the powers given to the Member under clause 9.4 of the Trust Deed and every other power enabling them, the Member hereby removes the Retiring Trustee as a trustee of the Fund, with effect from the date of this deed.

2 APPOINTMENT OF ADDITIONAL TRUSTEE

In exercise of the powers given to the Member under clause 9.3 of the Trust Deed and every other power enabling them, the Member hereby appoints the Additional Trustee as an additional trustee of the Fund along with the Continuing Trustee, with effect from the date of this deed.

3 TRUST FUND VESTED IN THE CONTINUING TRUSTEE AND THE ADDITIONAL TRUSTEE

The parties hereby agree that they will cause the assets of the Fund and all rights, benefits and provisions thereof to be vested in the Continuing Trustee and the Additional Trustee upon the trusts and with and subject to the powers and provisions contained in the Trust Deed and the Additional Trustee accepts their appointment as trustee of the Fund together with the Continuing Trustee and agrees to hold the assets of the Fund and all rights, benefits and provisions thereof together with the Continuing Trustee upon the trusts and with and subject to the powers and provisions contained in the Trust Deed.

4. **ACKNOWLEDGEMENT**

The Additional Trustee declares that they are not disqualified from acting as a trustee for the Fund under the Superannuation Industry (Supervision) Act 1993 and undertakes to resign as trustee for the Fund if they become disqualified.

5. **RELEASE**

The Retiring Trustee is released from their obligations as trustee for the Fund and from all claims and liabilities which arise against the trustees for the Fund after the date of this deed.

6. **INTERPRETATION**

In this deed:

- (a) a reference to a particular gender includes other genders; and
- (b) the singular includes the plural and vice versa.

EXECUTED AS A DEED.

Executed by the Continuing Trustee:

SIGNED SEALED AND DELIVERED by the said)
Philip Andrew Adley as Continuing Trustee in)
the presence of:)



Signature of witness



Signature of Philip Andrew Adley

NATALIE MAIN

Name of witness (please print)

Executed by the Additional Trustee:

SIGNED SEALED AND DELIVERED by the said)
Nichole June Adley as Additional Trustee in the)
presence of:)



Signature of witness



Signature of Nichole June Adley

Vincent Cunningham

Name of witness (please print)

Executed by the Retiring Trustee:

SIGNED SEALED AND DELIVERED by the said)
Emma Louise Adley as Retiring Trustee in the)
presence of:)



Signature of witness

NATALIE MAIN

Name of witness (please print)



Signature of **Emma Louise Adley**

Executed by the Member:

SIGNED SEALED AND DELIVERED by the said)
Philip Andrew Adley as Member in the)
presence of:)



Signature of witness

NATALIE MAIN

Name of witness (please print)



Signature of **Philip Andrew Adley**

CONSENT TO ACT AS TRUSTEE

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

ADLEY SUPER FUND ('FUND')

I, **Nichole June Adley** of 7 Bamburgh Turn, Meadow Springs, WA 6210 consent to act as trustee for the Fund, and declare:

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

DATED 1 / 10 / 21.



Nichole June Adley

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 or whenever such conviction may have occurred.
2. persons who are insolvent, bankrupt, or have entered into arrangements, assignments or compositions with creditors under Part X of the *Bankruptcy Act 1966* (Cth) or a similar foreign law.
3. persons in relation to whom a civil penalty order has been made under the SIS Act.
4. persons expressly declared not to be "fit and proper" persons under sections 126A(3) or 126H(5) of the SIS Act.

