

SUPERANNUATION INDUSTRY SUPERVISION ACT 1993: SECTIONS 118 AND 121
CONSENT TO ACT AS, AND DISQUALIFIED PERSON DECLARATION BY, TRUSTEE
OF 13-STOREY SUPER FUND

I, SIMON GAVAN SANDY CAPP

1. Consent to my appointment as a responsible officer of **13-STOREY PTY LTD A.C.N. 642 289 638** ('the Company') the Trustee of **13-STOREY SUPER FUND** established by Trust Deed dated the *3rd* day of *July* 2020.
2. Declare that under the *Superannuation Industry (Supervision) Act 1993* ('SIS'), I can be a Trustee or Trustee Director of a superannuation fund and that:
 - (a) I am eligible to act as a responsible officer the Company for the purposes of the *Superannuation Industry (Supervision) Act 1993* ('SIS');
 - (b) I have never been convicted of an offence against or arising out of a law of the Commonwealth, a State, a Territory or a foreign country, being an offence in respect of dishonest conduct;
 - (c) A civil penalty order, as defined in SIS, has never been made in relation to me;
 - (d) I am not an insolvent under administration;
 - (e) I am not:
 - (i) under the Bankruptcy Act 1966 or the law of an external Territory, a bankrupt in respect of a bankruptcy from which I have not been discharged; or
 - (ii) under the law of a country other than Australia, or the law of an external Territory an undischarged bankrupt;
 - (iii) a person any of whose property is subject to control under:
 - (A) Section 50 or 188 of the Bankruptcy Act 1966; or
 - (B) a corresponding provision of the law of an external Territory or the law of a foreign country; or
 - (iv) a person who has executed a deed of assignment under Part X of the Bankruptcy Act 1966 or the corresponding provisions of the law of an external Territory or of the law of a foreign country, if a certificate has not been given under section 232 of that Act or the corresponding provision of the law of the external Territory or foreign country, as the case may be, in respect of the deed; or
 - (v) a person who has executed a deed of arrangement under Part X of the Bankruptcy Act 1966 or the corresponding provisions of the law of an external Territory or of the law of a foreign country, if a certificate has not been given under section 237A of that Act or the corresponding provision of the law of the external Territory or foreign country, as the case may be, in respect of the deed; or

(vi) a person whose creditors have accepted a composition under Part X of the Bankruptcy Act 1966 or the corresponding provisions the law of an external Territory or of the law of a foreign country, is a certificate has not been given under section 243A of that Act or the corresponding provision of the law of the external Territory or a foreign country, as the case may be, in respect of the composition.

(f) I have not been disqualified under s120A of the *Superannuation Industry (Supervision) Act 1993* ('SIS').

3. in respect of the trustee company (if any) of which I am a Director:

(g) no receiver or receiver and manager has been appointed in respect of property beneficially owned by the company; and

(h) no official manager, deputy official manager, provisional liquidator or administrator has been appointed in respect of the company; and

(i) the company has not begun to be wound up.

(j) I have not been disqualified under s120A of SIS.

4. Will inform the Company in writing as soon as possible if I cease to be eligible to act as a responsible officer of the Company, or if any of the above statements ceases to be true.

Dated this 3rd day of July 2020.

X 
 SIMON GAVAN SANDY CAPP