

**THIS DEED POLL** is made on the 28th Day of September 2017.....

**BY:** Super Business Pty Ltd ACN 621 979 182 of  
123 Brooklyn Road  
Brooklyn NSW 2083

hereby known as "the Trustee"

**WHEREAS:**

- A. The Trustee has decided to establish an indefinitely continuing superannuation plan to be known as the Sharma Super Fund (the "Fund").
- B The Trustee has agreed to act as the first Trustee of the Fund.
- C. The primary purpose of the Fund is to provide old age pensions to the Members.

**NOW THIS DEED WITNESSES** as follows:

- 1. a. The Trustees include the Trustees for the time being of this Deed.  
b. The Rules means the Rules set forth in the attachments hereto as amended from time to time as therein provided.
- 2. The Fund shall come into operation on the date of signing this deed.
- 3. The assets of the Fund shall be vested in the Trustee upon trust to apply the same in the manner set forth in the Rules. The Trustees shall manage and administer the Fund in all respects according to the Rules.
- 4. The power of appointing new Trustees shall be as provided in and subject to the Rules and the Trustees may be appointed or removed in the manner provided for in the Rules.
- 5. The provisions of this Deed may be amended in the manner set out in the Rules.
- 6. This Deed and the Rules shall be governed by and construed in accordance with the law of New South Wales



**RESOLUTIONS OF THE DIRECTORS OF SUPER BUSINESS PTY LTD AS TRUSTEE OF SHARMA SUPER FUND**

**ESTABLISHMENT OF FUND:**

RESOLVED that the Company establish a Self Managed Superannuation Fund to be known as the Sharma Super Fund and that the Company act as the first Trustee of the Fund.

FURTHER RESOLVED that the Company execute the Trust Deed

**ELECTION TO BECOME A REGULATED SUPERANNUATION FUND:**

IT WAS RESOLVED that the Company elect that the Superannuation Industry (Supervision) Act 1993 is to apply in relation to the fund and that the fund become a regulated superannuation fund. And that the notice of the election is to be lodged with the Australian Taxation Office.

**APPLICATION FOR MEMBERSHIP:**


RESOLVED that the following applications for membership be accepted, each of the members have consented to be Trustees of the fund in their capacity as Directors of Super Business Pty Ltd and are not disqualified persons:

Praveena Lata Sharma

**PRODUCT DISCLOSURE STATEMENT:**

All the members of the fund have provided declarations stating that they have access to all the information that would normally be provided in a Product Disclosure Statement. IT WAS RESOLVED that, pursuant to the exemption in Section 1012D(2A) of the Corporations Act 2001, the Trustees are not required to provide a Product Disclosure Statement to the members.

signed:

  
.....  
Praveena Lata Sharma



Dated: 28/09/2017 .....



## Self-managed super fund trustee declaration

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

SHARMA SUPER FUND
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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 maintained for the purpose of providing benefits to its 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 and implement and regularly review an investment strategy having regard to all the circumstances of the fund which include, but is 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 correctly 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 lodgement 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**

Praveena Lata Sharma

**Trustee or director's signature**

*Praveena Lata Sharma* Date 28/09/2017



**Witness' name (witness must be over 18 years of age)**

Peter Comino

**Witness' signature**

*Peter Comino* Date 28/09/2017



# SHARMA SUPER FUND

## APPLICATION FOR MEMBERSHIP

Full Name: Praveena Lata Sharma

Address: 123 Brooklyn Road  
Brooklyn NSW 2083

Date of Birth: 16/12/1968

I make application to become a member of the Sharma Super Fund ("The Fund")

\*I hereby authorise my current Employer to deduct from my salary such amounts (if any) as are from time to time agreed upon by myself and my employer as contributions to be made by me to the abovementioned Fund.

\* The Applicant hereby applies to make contributions to the Fund and agrees to be bound by the Deed and Rules governing the Fund.

Pursuant to the authorisations for the collection of Tax File Numbers ("TFN") contained in the taxation laws, the *Superannuation Industry (Supervision) Act 1993* and the *Privacy Act 1988*, I hereby agree to provide my TFN as follows:

My Tax File Number is: 1 4 6 7 1 2 5 0 3  
and I hereby authorise the trustees to use this tax file number.

### NOMINATION OF BENEFICIARIES

I hereby nominate the following persons to receive the benefit payable by the Trustees of the fund in the event of my death:

Name and Address	Relationship to member	Proportion of benefit
Roneal Singh 8 Tarwin ct, Dandenong Nth Vic 3175	son	100 %
		%

\* I would like this nomination to be binding on the trustees (cross out & initial if inapplicable)

Dated this 28th Day of September 2017

Signature of Applicant: 

**SIGN HERE**

## DISCLOSURE STATEMENT

I, Praveena Lata Sharma of 123 Brooklyn Road, Brooklyn NSW 2083 hereby acknowledge and declare as follows:

1. I am an initial Member of the Sharma Super Fund (the Fund). I am also a director of the trustee of the Fund.
2. I have not been induced to become a Member and Trustee of the Fund as a result of any representation or statement made by any Members or Trustees of the fund or any other person.
3. I have decided to become a Member and Trustee of the Fund based solely upon my own investigation and inquiries.
4. Having considered the financial strategy, responsibilities, risks, possible gains and benefits, costs of entry and administration, the rules of the Fund and taxation matters, I am satisfied that it is appropriate for me to invest in and become a Member and Trustee of the Fund.
5. I have had and will have access to all documents relating to the Fund including:
  - a. source documents (investments confirmations, invoices and receipts);
  - b. banking records;
  - c. financial strategies;
  - d. financial reports and taxation records;
  - e. minutes of meetings and resolutions of trustees;
  - f. Trust Deed and trust register;
  - g. incoming and outgoing correspondence
6. I am aware that investing money on behalf of myself and others carries significant risks of loss and that the Trustees of the Fund are not professional investors or experts in that field.
7. I have had the opportunity to seek independent financial, legal and taxation advice before making my decision to establish and invest in the Fund.

  
.....  
Praveena Lata Sharma



Date: 28/09/2017.....

DECLARATION BY DIRECTOR OF TRUSTEE COMPANY  
UNDER SECTION 118 OF THE  
SUPERANNUATION INDUSTRY (SUPERVISION) ACT 1993

I, Praveena Lata Sharma  
of 123 Brooklyn Road  
Brooklyn NSW 2083

**HEREBY DECLARE** that I am not a disqualified person as defined by SIS and am therefore not disqualified from acting as a director of a trustee company 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 a Trustee of the Sharma Super Fund (in my capacity as a director of Super Business Pty Ltd)

constituted on 28/09/2017

**AND I 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 directors of the trustee of the Fund in writing if I am for any reason disqualified from continuing to act as a trustee.

dated: 28/09/2017

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; or
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.



PRODUCT DISCLOSURE STATEMENT  
COVERSHEET  
SHARMA SUPER FUND

Member Name: PRAVEENA LATA SHARMA  
Member Address: 123 BROOKLYN RD, BROOKLYN NSW 2083  
Notice Date: 29/9/17

I have read and understood this Product Disclosure Statement prior to signing my  
Membership Application and/or Member's Consent to Amendment of Deed:-

Signature: 

SIGN HERE

Name: PRAVEENA SHARMA

Date: 29/9/17

DATE HERE

Please ensure that the following document is attached to this coversheet:-

Product Disclosure Statement comprising 5 pages

Most Recent Financial Statement for Fund <delete if this is for a new fund>



**SMSF Registration Request**

I request SuperHelp Australia Pty. Ltd. to register the SMSF in NSW with the Regulatory authorities and request for the Australian Business Number (ABN) and Tax File Number (TFN) on Trustee's behalf, with the information provided in the SMSF Setup Form.

I declare that the following disclosures in relation to the Trustees of the SMSF are correct:

**For Individual Trustees of the Fund:**

*None of the Trustees have been convicted of an offence in respect of dishonest conduct in the Commonwealth or any state, territory or foreign country*

*No civil penalty order has been made in relation to any of the Trustees*

*None of the Trustees is an undischarged bankrupt*

*None of the Trustees have been notified that they are a disqualified person by a Regulator (APRA or Commissioner of Taxation)*

**For Corporate Trustee of the Fund:**

*The company does not know or have reasonable grounds to suspect that a person who is, or is acting as, a responsible officer of the body corporate is a disqualified person*

*A receiver, or a receiver and manager has not been appointed to the company*

*The company has not been placed under official management*

*A provisional liquidator has not been appointed to the company*

*The company is not being wound up*

SMSF Name: SHARMA SUPER FUND

Your Name: PRAVEENA LATA SHARMA

Signature: [Handwritten Signature] Date: 4/10/17

Provide Details of all Members / Trustees of the fund below

	Member / Trustee Name	Tax File Number
Member / Trustee 1	PRAVEENA LATA SHARMA	146712503
Member / Trustee 2		
Member / Trustee 3		
Member / Trustee 4		

## Sharma Super Fund

### Investment Strategy

#### Minutes of the Meeting of the Director

Venue	Director Residence
Date	28 September 2017
Present	Praveena Lata Sharma
Chair	Praveena Lata Sharma

#### Investment objectives

- 1 **Resolved** that the fund have the following investment objectives:
- an investment return in excess of inflation, that is, in excess of the Consumer Price Index (All Groups Weighted Average);
  - to hold assets in a form to enable the Fund to discharge existing and future liabilities in a manner which satisfies the members.

#### Investment objectives strategy

- 2 **Resolved** that the fund will have the ability to invest in the following areas:
- direct equities and stocks, including participation in dividend reinvestment programs and rights issues or any other similar investments offered in this area;
  - property trusts and associated investments;
  - managed investments and associated products;
  - direct property investments; and
  - any other investment that is legal under the laws of the Commonwealth of Australia and its States and Territories.
- 3 **Resolved** that in determining this strategy, the director will consider, in respect of each of the fund's investments, the aspects of the investment being in accordance with the fund's investment objectives and relevant legislation.
- 4 Further, the director will consider in respect of each investment, the risk to the fund and its member of acquiring it, the diversification of the investment vis a vis all of the other investments owned by the fund, the liquidity requirements of the fund in meeting its liabilities and the effect that this investment will have on those requirements and all matters relating to the prudential nature of the investment after having assessed the entire financial position of the member.
- 5 The director will ensure that all the fund's investments are monitored and continue to comply with this strategy and the relevant legislation. The director reserve the right to alter this strategy at any time.
- 6 The director have considered the death and disability insurance needs of each member and are satisfied that the current covers are appropriate
- 7 The director have reviewed the investment strategy and agree that it continues to satisfy the objectives of the fund.

#### Signed as a true record of the meeting

Chairperson:

  
Praveena Lata Sharma

Date:

29/9/17