

Trustee declaration

To be completed by new trustees and directors of corporate trustees of self-managed super funds.

Read this declaration in conjunction with Key messages for self-managed super fund trustees at ato.gov.au/smsfessentials



Australian Government
Australian Taxation Office



Self-managed super fund trustee declaration

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

Fund name

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
- give me a written direction to rectify any contraventions or undertake a course of education
- 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.

Core purpose

I understand it is my responsibility to ensure the fund is only maintained for the purpose of providing benefits to the 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, implement and regularly review an investment strategy having regard to all the circumstances of the fund, which include, but are 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.

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.

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)

Minutes of Meeting of Trustees of BATTL SUPERANNUATION FUND

Held At:

On:

Present: Bengier, Lee Kevin
Everest, Trinity Ann

Chairperson: Bengier, Lee Kevin

Fund: It was resolved that the Trustees act as Trustee(s) of a Superannuation Fund to provide certain superannuation benefits for Members.

Trust Deed: It was resolved that the Trustees execute the Superannuation Deed tabled.

Members of Fund: It was noted that the initial Members of the Fund would be:

Bengier, Lee Kevin

Everest, Trinity Ann

It was noted that the initial Members were parties to and had signed the deed.

It was also noted that further Members may be admitted pursuant to the rules by written application and notice of approval being given by the Trustee to the applicant in accordance with the Deed. It was noted that the Trustees had previously provided Product Disclosure Statements and all other information to Members as required.

Date of Establishment of Fund: It was noted that the Fund is established when:
(a) the trust deed is executed; and
(b) the first contribution is received by the Trustee in respect of a Member.

Notice of Election: It was resolved that the notice to the ATO tabled at the meeting electing that the Fund become a regulated superannuation fund be executed by the Trustees and forwarded immediately to the ATO.

Bank Account: It was resolved that a bank account would be opened and that any one of the Trustees be authorised to operate the account.

Investment Strategy: It was resolved that the Trustees formulate and give effect to an investment strategy in accordance with the provisions of the Superannuation Industry (Supervision) Act 1993 (Cth) as required by SIS.

Confirmation: Signed by the Chairperson as and for a true and accurate record.


Chairperson

21/3/18
Date

Consent to Act as Trustee

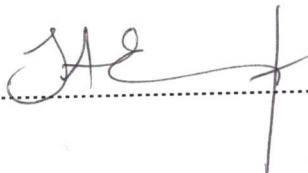
I, Everest, Trinity Ann
hereby consent to act as Trustee of the superannuation fund known as the
BATTL SUPERANNUATION FUND

and declare:

1. I am not disqualified from acting as a trustee or as a responsible officer of a trustee company under the Superannuation Industry (Supervision) Act.
2. I have never been found guilty of or 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.
3. A civil penalty order has never been made in relation to me.
4. I am not an insolvent under administration.
5. The Regulator has not disqualified me under the Superannuation Industry (Supervision) Act.
6. I have not, in the preceding 3 years from the date of this declaration, entered into a deed of assignment or arrangement or a composition with creditors under Part X of the Bankruptcy Act.

Dated: 21 March 2018

Signed: _____



APPLICATION FOR MEMBERSHIP

Name of Fund: BATTL SUPERANNUATION FUND

Member's Name: Everest, Trinity Ann
(Minor's Name if on behalf of minor)

Address:
21 BROADBENT STREET
PARAP NT 0820

Date of Birth: 02/04/1977

Occupation:

Telephone:

Fax:

Tax File Number:

Contributing Employer(s):

I hereby apply to become a Member of the abovementioned Fund.

* I apply as the parent or guardian of and on behalf of the minor referred to above.
(Delete if inapplicable)

I understand that my membership is subject to terms and conditions specified in the Governing Rules.

This application is accompanied by a Product Disclosure Statement.

I have received from the Trustee a notice containing information needed for the purpose of understanding the main features of the Fund, its management and financial condition and investment performance. (The Trustee must attach these if the Member is joining at a time other than when the fund is established).

Signed:



Dated:

21/03/18

Notice of agreement of Members to the nomination of Trustee

We the undersigned being all of the Members of the following superannuation fund:

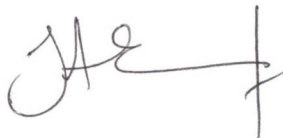
BATTL SUPERANNUATION FUND

hereby agree to the nomination of:

Benger, Lee Kevin
Everest, Trinity Ann

as Trustee of the Fund and we further agree to the Board of Directors as constituted at the date of this agreement if the Trustee is a Corporation.

Signed by the said Members:



Dated: 21 March 2018

Consent to Act as Trustee

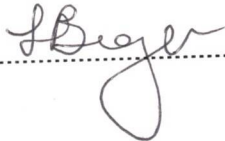
I, Benger, Lee Kevin
hereby consent to act as Trustee of the superannuation fund known as the
BATTL SUPERANNUATION FUND

and declare:

1. I am not disqualified from acting as a trustee or as a responsible officer of a trustee company under the Superannuation Industry (Supervision) Act.
2. I have never been found guilty of or 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.
3. A civil penalty order has never been made in relation to me.
4. I am not an insolvent under administration.
5. The Regulator has not disqualified me under the Superannuation Industry (Supervision) Act.
6. I have not, in the preceding 3 years from the date of this declaration, entered into a deed of assignment or arrangement or a composition with creditors under Part X of the Bankruptcy Act.

Dated:

Signed:


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APPLICATION FOR MEMBERSHIP

Name of Fund: BATTL SUPERANNUATION FUND

Member's Name: Bengner, Lee Kevin
(Minor's Name if on behalf of minor)

Address:
21 BROADBENT STREET
PARAP NT 0820

Date of Birth: 09/07/1977

Occupation:

Telephone:

Fax:

Tax File Number:

Contributing Employer(s):

I hereby apply to become a Member of the abovementioned Fund.

* I apply as the parent or guardian of and on behalf of the minor referred to above.
(Delete if inapplicable)

I understand that my membership is subject to terms and conditions specified in the Governing Rules.

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Signed:



Dated:

21/3/18