

JUDITH ELAINE BOOTH

in her personal capacity and as the legal personal representative of the estate of the late David Anthony Booth (Deceased).
(“Retiring Trustees”)

-and-

JUDITH ELAINE BOOTH

in her personal capacity and as the legal personal representative of the estate of the late David Anthony Booth (Deceased)

(“Members”)

- and –

JUKANI SUPERANNUATION PTY LTD ACN 655 805 762
(“New Trustee”)

DEED OF VARIATION OF TRUST

THE ELTONY SUPERANNUATION FUND

ROSEY BATT
& ASSOCIATES

LEGAL & BUSINESS CONSULTANTS

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THIS DEED is made the 7th day of December 2021

BETWEEN JUDITH ELAINE BOOTH of 1 Holden Street Kensington Park SA 5068 in her personal capacity and as and as the legal personal representative of the estate of the late David Anthony Booth Deceased (“**Retiring Trustees**”)

AND JUDITH ELAINE BOOTH of 1 Holden Street Kensington Park SA 5068 in her personal capacity and as the legal personal representative of the estate of the late David Anthony Booth Deceased (“**Members**”)

AND JUKANI SUPERANNUATION PTY LTD ACN 655 805 762 of Level 4, 18-20 Grenfell Street Adelaide SA 5000 (“**New Trustee**”)

RECITALS

- A. By deed dated the 20th day of September 1993 (“the Deed”) the Retiring Trustees established the Eltony Superannuation Fund (“the Fund”).
- B. By deed dated the 21st day of July 2017 (“the Amending Deed”) the Retiring Trustees amended the Deed by deleting the provisions of the Deed in its entirety and adopting new clauses 1 to 15 inclusive as set out in the Amending Deed.
- C. The Members are the members of the Fund.
- D. Clause 4.2 of the Amending Deed provides:-
 - “4.2.1 *The members shall have the right to appoint and remove any Trustee whether by Deed or written resolution and any person or entity appointed as a Trustee shall consent in writing to their appointment as required by the Relevant Law.*
 - ...
 - “4.2.5(a) *upon the death of a Member, the legal personal representative of the Member may take the place of the Member as a Trustee or as a director of the Trustee for such period as authorised by the Relevant Law*”
- E. David Anthony Booth died on the 1st day November 2021.
- F. The Retiring Trustees wish to retire as Trustees of the Trust.
- G. The Members wish to appoint the New Trustee as Trustee of the Trust.

IT IS AGREED:-

1. Appointment of New Trustees

By this Deed, the Members appoint the New Trustee as Trustee of the Trust.

2. Acceptance of Appointment

By this Deed, the New Trustee accepts its appointment as Trustee of the Trust.

3. Retirement of Trustees

By this Deed, the Retiring Member retired as Trustees of the Trust.

4. Trust Deed remains otherwise unaltered

The parties confirm the Deed and the Amending Deed remain otherwise unaltered by the terms of this Deed.

5. Governing Law

This Deed is to be construed according to South Australian laws and the parties submit themselves to the jurisdiction of the Courts of South Australia and any competent appellate courts.

EXECUTED by the parties as a deed.

SIGNED by the Resigning Trustees and Members in the presence of:

.....
Witness

Print Full Name Rosey BATT

)
)
) Judith Elaine Booth

)
)
) Judith Elaine Booth
Judith Elaine Booth in her capacity as legal personal representative of the Estate of David Anthony Booth Deceased

EXECUTED by and on behalf of
JUKANI SUPERANNUATION PTY LTD ACN 655 805 762 pursuant to Section 127 of The Corporations Act

)
)
) Judith Elaine Booth
Director/Secretary