

**Deed of Retirement & Appointment
of Trustee**



**CAMERON TOWERS SCOTT and TANYA LYNETTE
SCOTT and HELEN TOWERS SCOTT as trustees of the
Brascott Superannuation Fund**

AND

BRASCOTT PTY LTD ACN 153 868 430

GADENS LAWYERS
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Dated:

21 October 2011

Parties

1. CAMERON TOWERS SCOTT and TANYA LYNETTE SCOTT of 240 Woodlands Avenue, Thornlands, in the State of Queensland, and HELEN TOWERS SCOTT, of 94 Bonnie Springs Road, Proserpine, in the said State (**Retiring Trustees**).
2. BRASCOTT PTY LTD ACN 153 868 430 of c/- Howe Ford & Boxer, 141 Queen Street, Cleveland, in the said State (**New Trustee**).

Background

- A. The Retiring Trustees are the trustees of the Brascott Superannuation Fund (**Fund**), which was established by deed dated 5 September 2011 (**Fund Deed**).
- B. By clause 3.4 of the Fund Deed, the Retiring Trustees may appoint a new trustee for the Fund, subject to certain conditions.
- C. The Retiring Trustees wish to retire as trustees of the Fund and appoint the New Trustee in their place (**Appointment**).
- D. The New Trustee has agreed to accept the Appointment.

Operative provisions

1. Retirement and Appointment

With effect on and from the date of this document :

- (a) the Retiring Trustees retire as trustees of the Fund and appoint the New Trustee as sole trustee of the Fund in their place;
- (b) the Retiring Trustees hereby relinquish any authority as trustees of the Fund;
- (c) the New Trustee hereby accepts the appointment as referred to at subparagraph 1(a) of trustee of the Fund.

2. Further action

The parties hereby undertake to execute all such documents and perform all such acts as are necessary to vest the assets of the Fund in the New Trustee.

3. Administrative provisions

3.1 Execution by counterparts

This document may consist of one or more counterpart copies and all counterparts will, when taken together, constitute the one document.

3.2 Execution by facsimile

This document may be entered into and will become binding when a party signs the document that has been signed by each other party (or a facsimile copy or photocopy of the document), and transmits a facsimile copy to each other party.

3.3 Severance

If any provision of this deed is invalid and not enforceable in accordance with its terms, other provisions which are self sustaining and capable of separate enforcement from the invalid provision, are and continue to be valid and enforceable in accordance with their terms.

3.4 Governing Law and Jurisdiction

- (a) This Deed is governed by the laws governing the Fund as set out in the Fund Deed.
- (b) Each party irrevocably submits to the non-exclusive jurisdiction of the courts of the State whose laws govern the Fund as set out at subparagraph 3.4(a) above. Each party waives any right it has to object to an action being brought in those courts including, without limitation, by claiming that the action has been brought in an inconvenient forum.

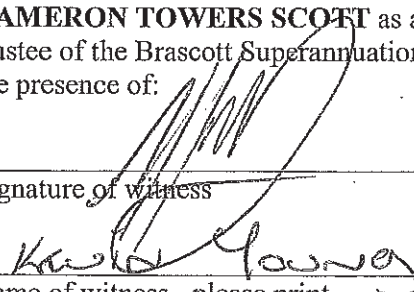
3.5 Immediately bound

The parties execute this document as a Deed on the date set out at the commencement as evidence of their respective intentions to be immediately bound to its terms.

EXECUTED as a Deed.

SIGNED, SEALED AND DELIVERED by
CAMERON TOWERS SCOTT as a retiring
trustee of the Brascott Superannuation Fund in
the presence of:

Signature of witness


Name of witness - please print

94 Bonnie Springs Rd.
Address of witness

PROSERPINE 4800


Cameron Towers Scott

SIGNED, SEALED AND DELIVERED by
TANYA LYNETTE SCOTT as a retiring
trustee of the Brascott Superannuation Fund in
the presence of:

Signature of witness

Tanya Lynette Scott

Name of witness - please print

Kevin Young
94 Bonnie Springs Rd
PROSERPINE 4800
Address of witness

SIGNED, SEALED AND DELIVERED by
HELEN TOWERS SCOTT as a retiring trustee
of the Brascott Superannuation Fund in the
presence of:

Signature of witness

Helen Towers Scott

Name of witness - please print

Kevin Young
94 Bonnie Springs Rd
PROSERPINE 4800
Address of witness

EXECUTED by **BRASCOTT PTY**
LTD ACN 153 868 430 in accordance
with section 127 of the *Corporations Act*
2001 (Cth) in the presence of:

Director

Director

Name of officeholder - please print

Name of officeholder - please print