

Declaration Deed

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Declaration Deed

Dated 15 / 05 /2015

Parties

Name	Zenaida O'Leary
Address	33 Lyall Avenue Dean Park NSW 2761
Email	<i>bernard.oleary@bigpond.com</i>
Short name	Zenaida

Background

- A. Zenaida O'Leary is a Trustee of the Zenbern Supeannuation Fund ("Superfund").
- B. The Fund is a complying self-managed superannuation fund as defined in section 17A of the Superannuation Industry (Supervision) Act 1993 (Cth) ('the SIS Act').
- C. The Trustee consented to its appointment as Trustee of the Superfund.
- D. On 4/05/2015 the Trustee opened a bank account namely a Metrobank Savings Account of \$500.00 and on behalf of the Superfund. Documentation for the purchase was recorded in the name of the Trustee only.
- E. The fund is the owner and is absolutely entitled to the bank account known Metrobank Savings Account, including all associated rights, obligations and asset.
- F. The Trustee executes this Declaration Deed to declare that the bank account as Metrobank Savings Account was opened by the Trustee in his/her capacity as trustee of the Superfund and **not** in his/her own capacity.

This Deed Witnesses

1. Declaration

The Trustee hereby declares by this Deed that:

- 1.1 The Background set out above is a true and correct record of the circumstances in respect of the Trustee and the Superfund;

- 1.2 The Trustee opened the Metrobank Savings account for \$500.00 which was entered by the Trustee in his/her capacity as trustee of the Superfund and **not** in his/her own capacity

2. Interpretation

Unless expressed or implied to the contrary in this Deed:

- 2.1 this Deed is governed by and is to be construed in accordance with the laws of New South Wales;
- 2.2 any provision in this Deed that is held to be illegal, invalid, void, voidable or unenforceable must be read down to the extent necessary to ensure that it is not illegal, invalid, void, voidable or unenforceable and if it is not possible to read down the provision, that provision is severable without affecting the validity or enforceability of the remaining part of that provision or the other provisions in this Deed;
- 2.3 a reference in this Deed to:
- 2.3.1 a statute includes regulations under it and consolidations, amendments, re-enactments or replacements of any of them;
 - 2.3.2 a person includes a firm, partnership, joint venture, association, corporation or other corporate body;
 - 2.3.3 a person includes the legal personal representatives, successors and assigns of that person;
 - 2.3.4 any body which no longer exists or has been reconstituted, renamed, replaced or whose powers or functions have been removed or transferred to another body or agency, is a reference to the body which most closely serves the purposes or objects of the first-mentioned body;
 - 2.3.5 a clause, schedule or appendix is a reference to a clause, schedule or appendix in or to this Deed;
 - 2.3.6 this or other document includes the document as varied or replaced regardless of any change in the identity of the parties;
 - 2.3.7 writing includes all modes of representing or reproducing words in a legible, permanent and visible form;
 - 2.3.8 '\$' or 'dollars' is a reference to Australian dollars;
 - 2.3.9 the singular includes the plural and vice versa; and
 - 2.3.10 a gender includes the other genders.

Signing Page

Executed as a deed poll

Executed by Zenaida O'Leary

Zenaida O'Leary

Trustee 1 Signature

B.O'Leary

Signature of witness

Bernard John O'Leary

Name of witness

Bernard John O'Leary

B.O'Leary

Trustee 2 Signature

Zenaida O'Leary

Signature of witness

Zenaida O'Leary

Name of witness