

**Minute**  
**UNTAM3D Super Fund**  
**ABN:71896866116**

Reference A: Telecon Simon Hoyle / ATO Andy Hii 19 Aug 2022. ATO Reference 1052023477798.

The Trustee's wish to advise that the UNTAM3D Superannuation fund are enacting upon John Hamilton email 18 August 2022 whereby "excess of your account balance will be paid with interest as practicable?"

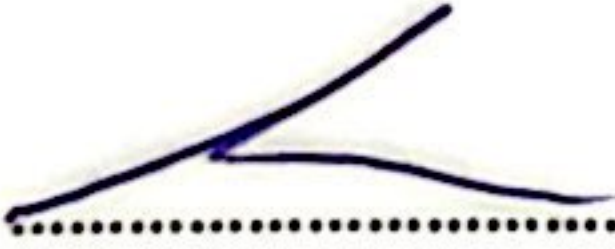
I AW with reference A, Simon Hoyle initiated contact with the Australian Taxation Office. ATO representative Andy Hii was provided extensive information in regards to Kristen Hoyle's chronic debilitating illness and that both member's superannuation had been utilized to meet the Medical Costs. ATO Representative recommended/verbally approved Access on Compassionate Grounds release to cover contributions from Trustee Sam Howat contributions already utilised.


I Sam Howat (Trustee) considered all factors regarding my partners ill health and with no hesitation willing to release my contributions within the UNTAM3D super fund on medical grounds.

Trustee's wish to advise that currently Sam Howat is un-employed and was unable to meet medical costs through other means. The misinterpretation of John Hamiltons email on 24 March 2022 caused us to believe we were acting in good faith and ensuring fund compliant.

Therefore, "excess of your account balance will be paid with interest as practicable" is not a viable option at this time. We the Trustees request the Auditor approve Sam Howats contribution on the basis of the ATO approval on compassionate grounds.

**Signed:**

Trustee (Kristen Hoyle)  .....

Trustee (Sam Howat)  .....

**Reference B**

**From:** John Hamilton <jontan@southernphone.com.au>  
**Sent:** Thursday, 18 August 2022 10:03 AM  
**To:** Simon Hoyle <buzza08@hotmail.com>  
**Subject:** 24th march email

Hi Kristen

Here is what I wrote back to you on the 24th March 2022.

On 24/03/2022 5:27 pm, John Hamilton wrote:  
Hi Kristen

I am sorry to hear that are unwell and will require surgery.

I note that your Specialists have supplied the form for the release of fund as require from your member's balance.

I have added the form and letter to the super file for the auditor to see when it is time for the next audit.

--  
John Hamilton

phone: 0362251081  
mobile: 0438922527  
skype: john.william.hamilton

**Reference C:**

**From:** John Hamilton <jontan@southernphone.com.au>  
**Sent:** Thursday, 18 August 2022 6:42 AM  
**To:** kristen hoyle <kristen\_bear4@hotmail.com>  
**Cc:** Simon Hoyle <buzza08@hotmail.com>  
**Subject:** untam3d smsf

Hi Kristen, Simon and Sam

Could I suggest that the trustees draw up a minute stating there was a misunderstand about the release of the fund for you Kristen and that the excess of your account balance will be paid with interest as soon as practicable.?

We can delay in lodging and submitting to the auditor till after the repayment of the excess has been made. This will go in the favour of the trustees actions.

--  
John Hamilton

S. H

phone: 0362251081  
mobile: 0438922527  
skype: john.william.hamilton

S.H