Date: 21 May, 2007

## **PRIVATE & CONFIDENTIAL**

Maynew Nominees Pty Limited Unit 9/36 Tooke Street COOKS HILL NSW 2300

**Dear Directors** 

## Maynew Nominees Pty Limited (the "Company") – Consent to Act as Trustee

I, Stanley Thomas McLean, hereby consent to the appointment of the Company as trustee of the indefinitely continuing superannuation plan to be known as McLean Family Superannuation Fund (the "Fund") under the provisions of the Superannuation Industry (Supervision) Act 1993 (the "SIS Act") and in accordance with the documents which regulate the Fund.

I confirm that I am not a disqualified person as defined in Section 120 of the SIS Act, an extract of which is shown below:

### Extract: Superannuation Industry (Supervision) Act 1993

SECTION 120 DISQUALIFIED PERSONS

120(1) Individuals.

For the purpose of this Part, an individual is a disqualified person if:

- (a) at any time (including a time before the commencement of this section):
  - the individual was 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; or
     a civil penalty order was made in relation to the person; or
- (b) the person is an insolvent under administration; or
- (c) the Regulator has disqualified the individual under section 120A.

120(2) Bodies corporate.

For the purposes of this Part, a body corporate is a disqualified person if:

- (a) subsection (2A) applies; or
- (b) a receiver, or a receiver and manager, has been appointed in respect of property beneficially owned by the body; or
- (c) an official manager, deputy official manager or administrator has been appointed in respect of the body; or
- (d) a provisional liquidator has been appointed in respect of the body; or
- (e) the body has begun to be wound up.

120(2A) Convictions

This subsection applies if:

- (a) the body corporate knows, or has reasonable grounds to suspect, that a person who is, or is acting as, a
  responsible officer of the body corporate is a disqualified person; and
- (b) the body corporate knows, or has reasonable grounds to suspect, that:
  - the person is not eligible under subsection 126B(1) to apply to APRA for a declaration waiving his or her status as a disqualified person; or
  - (ii) the person is so eligible but will not make an application under subsection 126B(3) within the period allowed for the purpose.

SECTION 126B APPLICATION FOR WAIVER OF DISQUALIFIED STATUS

126B(1) Conditions for application.

An individual may apply to the Regulator for a declaration under section 126D waiving his or her status as a disqualified person for the purposes of this Part only if:

- (a) he or she is a disqualified person solely because of the operation of subparagraph 120(1)(a)(i); and
- (b) the offence leading to him or her being a disqualified person is not an offence involving serious dishonest conduct as described in subsection (2).

126B(2) Offence involving serious dishonest conduct.

For the purposes of paragraph (1)(b), an offence involves serious dishonest conduct if the penalty actually imposed for the offence is:

- (a) a term of imprisonment of at least 2 years or such longer period (if any) as is specified in the regulations; or
- (b) a fine of at least 120 penalty units or such larger fine, if any, as is specified in the regulations.

I hereby confirm that I will carry out my duties as a director of the corporate trustee of the Fund in accordance with the documents which from time to time regulate the Fund.

Yours faithfully

Stanley Thomas McLean

Date: 21 May, 2007

### **PRIVATE & CONFIDENTIAL**

Maynew Nominees Pty Limited Unit 9/36 Tooke Street COOKS HILL NSW 2300

**Dear Directors** 

# Maynew Nominees Pty Limited (the "Company") – Consent to Act as Trustee

I, Margaret Mary McLean, hereby consent to the appointment of the Company as trustee of the indefinitely continuing superannuation plan to be known as McLean Family Superannuation Fund (the "Fund") under the provisions of the Superannuation Industry (Supervision) Act 1993 (the "SIS Act") and in accordance with the documents which regulate the Fund.

I confirm that I am not a disqualified person as defined in Section 120 of the SIS Act, an extract of which is shown below:

#### Extract: Superannuation Industry (Supervision) Act 1993

SECTION 120 DISQUALIFIED PERSONS

120(1) Individuals.

For the purpose of this Part, an individual is a disqualified person if:

- (a) at any time (including a time before the commencement of this section):
  - (i) the individual was 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; or
  - (ii) a civil penalty order was made in relation to the person; or
- (b) the person is an insolvent under administration; or
- (c) the Regulator has disqualified the individual under section 120A.

120(2) Bodies corporate.

For the purposes of this Part, a body corporate is a disqualified person if:

- (a) subsection (2A) applies; or
- (b) a receiver, or a receiver and manager, has been appointed in respect of property beneficially owned by the body; or
- (c) an official manager, deputy official manager or administrator has been appointed in respect of the body; or
- (d) a provisional liquidator has been appointed in respect of the body; or
- (e) the body has begun to be wound up.

120(2A) Convictions.

This subsection applies if:

- (a) the body corporate knows, or has reasonable grounds to suspect, that a person who is, or is acting as, a responsible officer of the body corporate is a disqualified person; and
- (b) the body corporate knows, or has reasonable grounds to suspect, that:
  - the person is not eligible under subsection 126B(1) to apply to APRA for a declaration waiving his or her status as a disqualified person; or
  - the person is so eligible but will not make an application under section 126B(3) within the period allowed for the purpose.

## SECTION 126B APPLICATION FOR WAIVER OF DISQUALIFIED STATUS

126B(1) Conditions for application.

An individual may apply to the Regulator for a declaration under section 126D waiving his or her status as a disqualified person for the purposes of this Part only if:

- (a) he or she is a disqualified person solely because of the operation of subparagraph 120(1)(a)(i); and
- (b) the offence leading to him or her being a disqualified person is not an offence involving serious dishonest conduct as described in subsection (2).

126B(2) Offence involving serious dishonest conduct.

For the purposes of paragraph (1)(b), an offence involves serious dishonest conduct if the penalty actually imposed for

- (a) a term of imprisonment of at least 2 years or such longer period (if any) as is specified in the regulations; or
- (b) a fine of at least 120 penalty units or such larger fine, if any, as is specified in the regulations.

I hereby confirm that I will carry out my duties as a director of the corporate trustee of the Fund in accordance with the documents which from time to time regulate the Fund.

Yours faithfully

Abayard offean

Margaret Mary McLean

Date: 21 May, 2007

## To Whom It May Concern:

Maynew Nominees Pty Limited (the "Company") hereby consents to act as trustee of the indefinitely continuing superannuation plan to be known as McLean Family Superannuation Fund.

We confirm that the Company is not a disqualified person as defined in Section 120 of the Superannuation Industry (Supervision) Act 1993, an extract of which is shown below:

#### Extract: Superannuation Industry (Supervision) Act 1993

SECTION 120 DISQUALIFIED PERSONS

120(1) Individuals.

For the purpose of this Part, an individual is a disqualified person if:

- (a) at any time (including a time before the commencement of this section):
  - the individual was 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; or
  - (ii) a civil penalty order was made in relation to the person; or
- (b) the person is an insolvent under administration; or
- (c) the Regulator has disqualified the individual under section 120A.

120(2) Bodies corporate.

For the purposes of this Part, a body corporate is a disqualified person if:

- (a) subsection (2A) applies; or
- (b) a receiver, or a receiver and manager, has been appointed in respect of property beneficially owned by the body; or
- (c) an official manager, deputy official manager or administrator has been appointed in respect of the body; or
- (d) a provisional liquidator has been appointed in respect of the body; or
- (e) the body has begun to be wound up.

120(2A) Convictions

This subsection applies if:

- (a) the body corporate knows, or has reasonable grounds to suspect, that a person who is, or is acting as, a responsible officer of the body corporate is a disqualified person; and
- (b) the body corporate knows, or has reasonable grounds to suspect, that:
  - the person is not eligible under subsection 126B(1) to apply to APRA for a declaration waiving his or her status as a disqualified person; or
  - (ii) the person is so eligible but will not make an application under subsection 126B(3) within the period allowed for the purpose.

SECTION 126B APPLICATION FOR WAIVER OF DISQUALIFIED STATUS

126B(1) Conditions for application.

An individual may apply to the Regulator for a declaration under section 126D waiving his or her status as a disqualified person for the purposes of this Part only if:

- (a) he or she is a disqualified person solely because of the operation of subparagraph 120(1)(a)(i); and
- (b) the offence leading to him or her being a disqualified person is not an offence involving serious dishonest conduct as described in subsection (2).

126B(2) Offence involving serious dishonest conduct.

For the purposes of paragraph (1)(b), an offence involves serious dishonest conduct if the penalty actually imposed for the offence is:

(a) a term of imprisonment of at least 2 years or such longer period (if any) as is specified in the regulations; or(b) a fine of at least 120 penalty units or such larger fine, if any, as is specified in the regulations.

Yours faithfully

Stanley Thomas McLean

Director

Margaret Mary McLean

Director