

## Consent to Act as Trustee/ Declaration Form

I, the director of **Terzo Superannuation Fund Pty. Ltd. – A.C.N. 118 144 755**  
of **Level 18, 499 St Kilda Road**  
**Melbourne Vic 3004**

**HEREBY CONSENT** to the company acting as Trustee for the Terzo Superannuation Fund

**I FURTHER ACKNOWLEDGE** that I

- am aware of my responsibilities under the Trust Deed having read and fully understood it's contents;
- am aware of my responsibilities under SIS;
- agree to execute the Trust Deed and to administer the Fund in accordance with the terms and conditions set out in the Trust Deed; and
- agree to administer the Fund in accordance other legislative requirements.

**HEREBY DECLARE** that I am not a \* disqualified person, nor is the Company a disqualified body corporate, as defined by SIS, and am therefore not disqualified from acting as Trustee of a superannuation fund under SIS.

**I FURTHER ACKNOWLEDGE** that:

- I am not able to act as Director of the Trustee Company, nor the Company act as Trustee of the Fund if I am at any time unable to declare that I am not a \* disqualified person or the company is not a disqualified body corporate.
- I must immediately notify the Trustee company and the Australian Taxation Office if at any time I become a disqualified person.
- If I have any doubt at any time as to whether I am a disqualified person, I undertake to seek independent legal advice immediately.

Dated: 1 February 2006

Signed: Mauro Paul Terzo

MTX 

\* Note re: Disqualification

**The Superannuation Industry (Supervision) Act 1993 provides that the following persons are disqualified from acting as a director of a Corporate Trustee:**

1. Persons who have prior convictions involving dishonest conduct, wherever or whenever such conviction may have occurred.
2. Persons who are insolvent, bankrupt, or have entered into arrangements, assignments or compositions with creditors under Part X of the Bankruptcy Act 1966 (Cth) or a similar foreign law.
3. Persons in relation to whom a civil penalty order has been made under the Superannuation Industry (Supervision) Act 1993.
4. Persons expressly declared not to be "fit and proper" persons under section 120A(3) of the Superannuation Industry (Supervision) Act 1993.

**A body corporate Trustee is a disqualified person where:**

1. a receiver or a receiver and manager has been appointed in respect of property beneficially owned by the body;
2. an official manager or deputy official manager has been appointed in respect of the body; or
3. a provisional liquidator has been appointed in respect of the body; or
4. the body has begun to be wound up.

**Note: a director of the Corporate Trustee must not be a disqualified person as defined in the above for individual trustees.**