

**DEED OF APPOINTMENT AND RETIREMENT
OF TRUSTEE
- for the -
ALEX GARNOCK SUPERFUND**

DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE

THIS DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE is made on the date specified in the Schedule attached to this deed as the 'Date of Deed'.

PARTIES: The persons named and described in the Schedule as the Retiring Trustee

(Retiring Trustee)

The persons named and described in the Schedule as the New Trustee

(New Trustee)

RECITALS:

- A. A superannuation fund known by the name set out in the Schedule as the 'Name of Fund' (**Fund**) was established for the benefit of certain present and future persons as would become members of the Fund and their dependants, on the date set out in the Schedule as the 'Date of Establishment of Fund'.
- B. The Retiring Trustee is, under the trust deed for the Fund (**Trust Deed**), given the power of appointment of trustees of the Fund.
- C. The Retiring Trustee wishes to appoint the New Trustee to act as trustee of the Fund as from the 'Date of Appointment' set out in the Schedule (**Date of Appointment**).
- D. The New Trustee wishes to confirm that it has consented in writing to its appointment as trustee of the Fund.
- E. The New Trustee wishes to confirm that the directors of the New Trustee have consented in writing to their respective appointments as directors of a corporate trustee of a superannuation fund.
- F. The parties wish to accept this deed as the required notice of the appointment of the New Trustee as trustee of the Fund as from the Date of Appointment.
- G. The Retiring Trustee wishes to retire as trustee of the Fund as from the Date of Appointment.
- H. The parties wish to accept this deed as the required notice of the retirement of the Retiring Trustee as trustee of the Fund as from the Date of Appointment.
- I. The parties by their execution of this deed agree that the retirement of the Retiring Trustee and the appointment of the New Trustee will take effect on the Date of Appointment.

OPERATIVE PROVISIONS:

1. Appointment of New Trustee

- (a) Under the powers conferred on the Retiring Trustee by the Trust Deed, the New Trustee is hereby appointed trustee of the Fund in place of the Retiring Trustee to act for all purposes as trustee of the Fund on the powers contained in the Trust Deed which appointment commences on the Date of Appointment.

- (b) The parties hereby accept this deed as the required notice of the appointment of the New Trustee as trustee of the Fund as from the Date of Appointment.

2. Consent

- (a) The New Trustee hereby confirms that it has consented in writing to its appointment as trustee of the Fund as from the Date of Appointment and agrees to administer the Fund in accordance with the trusts and powers contained in the Trust Deed.
- (b) The New Trustee hereby confirms that the directors of the New Trustee have consented in writing to their respective appointments as directors of a corporate trustee of a superannuation fund.

3. Retirement of Trustee

- (a) The Retiring Trustee hereby retires as trustee of the Fund as from the Date of Appointment.
- (b) The parties hereby accept this deed as the required notice of the retirement of the Retiring Trustee as trustee of the Fund as from the Date of Appointment.

4. Declaration and Undertaking

The New Trustee hereby declares that it is not disqualified from acting as trustee under the *Superannuation Industry (Supervision) Act 1993* and undertakes to resign its office on becoming disqualified from so acting.

5. Transfer

The Retiring Trustee hereby agrees to arrange for the transfer of all assets of the Fund in their possession or under their control to the New Trustee with all practicable speed and to do all such further acts, matters and things as are required to vest the assets of the Fund in the New Trustee.

6. Release

The Retiring Trustee is hereby released from their obligations as trustee under the Trust Deed and from all claims and liabilities which may arise in respect of the trusteeship for the Fund relating to the period after the Date of Appointment.

7. Interpretation

In this deed:

- (a) a reference to a gender includes the other genders;
- (b) a reference to persons shall include corporations and other entities recognised by law; and
- (c) the singular includes the plural and vice versa.

EXECUTED as a deed on the date set out in the attached Schedule.

SIGNED SEALED AND DELIVERED by)
the said **ALEXANDER ROBERT**)
SANDHAM GARNOCK as Retiring)
Trustee in the presence of:

X 

ALEXANDER ROBERT SANDHAM GARNOCK



Witness

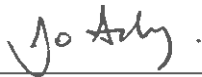


Witness full name

SIGNED SEALED AND DELIVERED by)
the said **CHRISTOPHER IAN CHARLES**)
GARNOCK as Retiring Trustee in the)
presence of:

X 

CHRISTOPHER IAN CHARLES GARNOCK



Witness



Witness full name

EXECUTED BY GARNOCK BROTHER'S)
SUPER FUND'S PTY LTD (ACN 635 688)
390) as New Trustee in accordance with)
the Corporations Act 2001:)



Signature of Director

X 

Name of Director



Signature of Director/Secretary

X 

Name of Director/Secretary

SCHEDULE

DATE OF DEED:	20/9/19
RETIRING TRUSTEE:	ALEXANDER ROBERT SANDHAM GARNOCK CHRISTOPHER IAN CHARLES GARNOCK
NEW TRUSTEE:	GARNOCK BROTHER'S SUPER FUND'S PTY LTD (ACN 635 688 390)
NAME OF FUND:	ALEX GARNOCK SUPERFUND
DATE OF ESTABLISHMENT OF FUND:	19 AUGUST 2013
DATE OF APPOINTMENT:	20/9/19