

JL & K Boucher Superannuation Fund

Deed of Variation

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Ref: PM080-18

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This Deed is made

Between:

John Leslie Boucher of Unit 2, 22 Fairbairn Road, Busselton, Western Australia ("John") and Wanda Maree Comrie of 60 Whitemoss Drive, Vasse, Western Australia ("Wanda")

(together "the Trustees")

Recitals

- A. By a Deed dated the 20th June 1997 ("the Original Trust Deed") the JL & K Boucher Superannuation Fund ("the Fund") was created for the benefit of certain individuals named and described therein as Members.
- B. By a Deed made the 27th November 2005 the Original Trust Deed was varied on the terms and manner therein specified and the Fund deed was established ("the Fund Deed").
- C. By clause 12 of the Fund Deed the Trustees are empowered to vary its terms.

Now this Deed witnesses

1. Trustees

The Trustees hereby acknowledge and record that:

- (a) at all times since the creation of the Fund on the 20th June 1997 until the 2nd March 2018 the Trustees of the Fund were John and Kathleen Boucher.
- (b) On the 2nd March 2018 Wanda was appointed an additional trustee of the Fund; and
- (c) as a consequence with effect from the 2nd March 2018 the Trustees of the Fund are John and Wanda.

2. Membership

The Trustees hereby acknowledge and record that:

- (a) Kathleen was a member of the Fund from the 20th June 1997 and, in order to give effect to the Minute of Consent Orders issued by the Family Court of Western Australia on the 6th day of February 2018, and in accordance with clause 8.8 of the Fund Deed, on the 2nd March 2018 she transferred

\$279,952.76 of her superannuation benefits to John and the remainder of her Member Benefits were transferred to another Complying Superannuation Fund as nominated by her.

- (b) As the result of the transfer of the Member Benefits in total Kathleen is with effect from the 2nd March 2018 no longer a Member of the Fund; and
- (c) On the 2nd day of March 2018 Wanda was added as a Member of the Fund.

3. **Confirmation**

By this Deed the Trustees confirm and declare that:

- (a) the only Members of the Fund with effect from the 2nd March 2018 are John and Wanda;
- (b) without limiting the generality of the foregoing Kathleen is no longer a Member of the Fund since the 2nd March 2018;
- (c) if, and to the extent necessary to give effect to it, this Deed is inconsistent with or varies the Fund Deed then this Deed constitutes a variation to it made in accordance with clause 12 of the Fund Deed;
- (d) nothing in this Deed affects or in any way reduces the entitlement of any Member of the Fund for any benefit already provided under the Fund Deed prior to the date on which this Deed takes effect; and
- (e) in accordance with the power in that regard contained in clause 12.4 of the Fund Deed this Deed takes effect on and from the 2nd March 2018.

4. **Interpretation**

- (a) Terms and expressions used in this Deed but not defined herein, and which are defined in the Fund Deed, shall have the meanings herein as ascribed therein.
- (b) The Trustees shall execute complete deliver make and do all such assurances documents instruments notices and acts as things may be necessary to fully and effectively carry out the terms of this Deed.
- (c) This Deed constitutes notice to the Members of the variation (if any) to the Fund Deed as effected by this Deed.

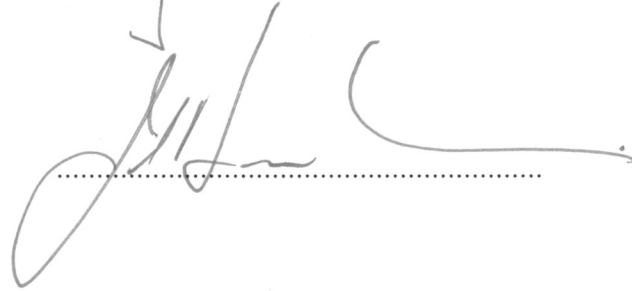
5. **Costs**

The costs of and incidental to the preparation and execution of this Deed and all things done in accordance with it shall be paid by the Trustees as an expense of the Fund.

Execution Page

DATED THIS 10th day of May 2018.

SIGNED by the said)
John Leslie Boucher)
in the presence of :)



Royer
.....

Signature of Witness

MARILYN JEAN ROYER

Full Name of Witness (print)

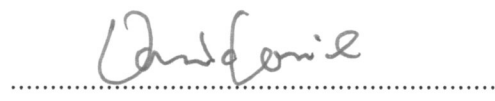
14 QUAIL COVE, BUSSELTON

Address of Witness (print)

ACCOUNTANT CPA MIPA

Occupation of Witness (print)

SIGNED by the said)
Wanda Maree Comrie)
in the presence of :)



Royer
~~MARILYN JEAN~~ *Royer*

Signature of Witness

MARILYN JEAN ROYER

Full Name of Witness (print)

14 QUAIL COVE, BUSSELTON

Address of Witness (print)

ACCOUNTANT CPA MIPA

Occupation of Witness (print)