## STATUTORY DECLARATION

## Commonwealth of Australia

- I, Pierre-Louis Constant of 14 Sparrow Way, Spearwood WA 6163

  Being the only director and shareholder of Not Variable Pty Ltd ACN 617 228 494 incorporated on 07/02/2017 (trustee of property custodian trust) do solemnly and sincerely declare that:
- 1. Not Variable Pty Ltd ACN 617 228 494 incorporated on 07/02/2017 ('trustee of property custodian trust') is the trustee of the property custodian trust ("the property custodian trust") and is intending to be the 'apparent purchaser', of a property known and situated at Unit 5, 11 Simper Road Yangebup WA 6164('Underlying Property');
- 2. The intended 'real purchaser', of the Property is the Constant Nominees Pty Ltd ACN 614 237 320 incorporated on 15/08/2016 as trustee for Constant Superannuation Fund, which is a complying self-managed superannuation fund as defined in section 17A of the Superannuation Industry (Supervision) Act 1993 (Cth) ('the SIS Act');
- 3. The trustee of the SMSF and the trustee of the property custodian trust have entered into a deed entitled 'Property Custodian Trust Deed';
- 4. The property custodian trust deed evidences the declaration of trust made by the trustee of the property custodian trust as the apparent purchaser and the trustee of the SMSF as the real purchaser of the Underlying Property;
- 5. The Underlying Property has been purchased by the trustee of the SMSF as 'real purchaser' via the trustee of the property custodian trust as the 'apparent purchaser':
- 6. The trustee of the property custodian trust and the trustee of the SMSF intend that upon the acquisition of the Underlying Property the beneficial ownership and any other beneficial interest in the Underlying Property is to be acquired will remain at all times, with the trustee of the SMSF.
- 7. The whole of the deposit and the balance of the purchase moneys, including related costs (eg stamp duty and legal fees) to purchase the property will be paid by the trustee of the SMSF;
- 8. The intention of all parties at all material times is that the legal title to the Underlying Property will be held by the trustee of the property custodian trust to be held on bare trust for the trustee of the SMSF who will be the beneficial owner of the Underlying Property;
- 9. All parties agree that the Underlying Property is to be purchased in the name of the trustee of the property custodian trust for the purposes of the trustee of the SMSF acquiring the property under the limited recourse borrowing arrangements under section 67A & 67B of the SIS Act;

and I/we make this solemn declaration by virtue of the Statutory Declarations Act 1959 (Cth) and subject to the penalties provided by that Act for the making of false statements in statutory declarations, conscientiously believing the statements contained in this declaration to be true in every particular.

Declared at [	[O.2] day of [
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Signature of person before whom the declaration is made	Signature person making the declaration
Mark Zlo kich  Title of person before whom the declaration is made	Pierre-Louis Constant