

62978

This Deed

is made on 29th day of May 2008 between the following parties:

1 **AUSCOAL Superannuation Pty Ltd**
ABN 70 003 566 989 AFSL No. 246864 RSE L0002783
of Level 1, 472 The Esplanade, Warners Bay NSW 2282
as trustee of the AUSCOAL Superannuation Fund (**Fund**)
ABN 16 457 520 308 RSE R1056563 hereinafter referred to as the
Trustee

2 WARREN LAW
(Name)
of 7 ATHOL ST WOONONA 2517
(Address)

hereinafter referred to as the **Member**

Recitals

- A. Termination of employment is a condition of release under the *Superannuation Industry (Supervision) Act* and Regulation whereby the Member's restricted non-preserved benefits (**Benefit**) in the Fund become unrestricted non-preserved benefits.
- B. The Trustee has agreed to release the Member's Benefit provided that the Member signs this deed of release.
- C. The Member acknowledges that the Trustee recommended and that the Member had the opportunity to obtain independent advice on whether to request payment of the Benefit and whether or not it is in the Member's best interests to request that payment or whether the Member should sign this deed of release. As a minimum the Member acknowledges that he or she will attend an interview with a member of AUSCOAL Services Pty Ltd to have the ramifications of the request for withdrawal explained in detail.
- D. The Member agrees that the Member understands that the effect of being paid the amount as shown in Clause 2 is to reduce the benefits which may be paid from the Fund in the future in respect of the Member in the event of the Member's death or disablement or otherwise on ceasing membership of the Fund.

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The deed witnesses that in consideration of, among other things, the mutual promises contained in this deed, the parties agree:

- 1 The Member agrees that, in exchange for the Trustee agreeing to pay the Member the Member's Benefit in accordance with the amount detailed in Clause 2, the Trustee may adjust the benefits otherwise payable to or in respect of the Member on the Member's cessation of membership of the Fund because of death, disablement or any other circumstances to the extent necessary in the Trustee's opinion to ensure that the Member does not receive a double payment of the Benefit, either directly or through the calculation of other benefits.
- 2 The Member's Benefit referred to in Clause 1 is \$ \$50,000.06 - Special Acc.
~~200,000.00~~ as requested on the benefit application form dated 29-5-2008

IN WITNESS THEREOF this Deed of Release has been duly executed on

Signed as a deed by:

(Name) Director

15.6.08

(Name) Director/Secretary

on behalf of AUSCOAL Superannuation Pty Ltd

Signed sealed and delivered by:

W. Law

Member

[Signature]

Witness

Zoe Ann Gilday
A Justice of the Peace in
and for the State of
New South Wales
146783

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14 JUN 2008
BY: _____