

**DEED OF RATIFICATION AND RECTIFICATION**

**- for -**

**THE RUSS RETIREMENT FUND**

# DEED OF RATIFICATION AND RECTIFICATION

**THIS DEED OF RATIFICATION AND RECTIFICATION** is made on the date specified in the Schedule attached to this deed as the 'Date of Deed'.

**BETWEEN:** The persons named and described in the Schedule as the Trustee  
(Trustee)

**AND:** The persons named and described in the Schedule as the Members  
(Members)

## RECITALS:

- A. The Russ Retirement Fund (**Fund**) was established by declaration of trust (**Establishing Deed**) on 3 November 2003, for the benefit of certain present and future persons as will become members of the Fund and their dependants.
- B. The Establishing Deed has been varied from time to time, most recently by deed dated 1 JULY 2015 (**Deed of Variation**).
- C. The parties wish to rectify the name of the Fund as it appears throughout the Deed of Variation as it does not accurately reflect the correct name of the Fund.
- D. The parties also wish to ratify the execution of the Deed of Variation if and to the extent that it was not validly executed and/or was otherwise invalid.

## OPERATIVE PROVISIONS:

### 1. Rectification of Terms

The parties hereby confirm that the name of the Fund as it appears throughout the Deed of Variation does not accurately reflect the correct name of the Fund and hereby rectify the Deed of Variation by deleting all references to '*Russ Retirement Fund*' and replacing them with '*The Russ Retirement Fund*'.

### 2. Confirmation and Ratification of Deed

The parties hereby confirm and ratify the Deed of Variation despite the deed incorrectly naming the Fund, if and to the extent that it was not validly executed and/or was otherwise invalid.

### 3. Interpretation

In this deed:

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

## SCHEDULE

<b>DATE OF DEED:</b>	1 <sup>ST</sup> NOVEMBER 2017
<b>TRUSTEE:</b>	MICHAEL WARRICK RUSS CAROL ALINE RUSS
<b>MEMBERS:</b>	MICHAEL WARRICK RUSS CAROL ALINE RUSS
<b>NAME OF FUND:</b>	THE RUSS RETIREMENT FUND

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

SIGNED SEALED AND DELIVERED by )  
MICHAEL WARRICK RUSS as Trustee in )  
the presence of: )

*Michael W Russ*

MICHAEL WARRICK RUSS

*Lynne a Murray*  
Witness

LYNNE ANN MURRAY  
Witness full name

SIGNED SEALED AND DELIVERED by )  
CAROL ALINE RUSS as Trustee in the )  
presence of: )

*Carol Aline Russ*

CAROL ALINE RUSS

*Lynne a Murray*  
Witness

LYNNE ANN MURRAY  
Witness full name

SIGNED SEALED AND DELIVERED by )  
MICHAEL WARRICK RUSS as Member )  
in the presence of: )


*Michael W Russ*

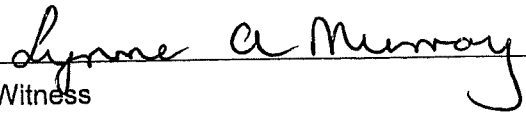
MICHAEL WARRICK RUSS

*Lynne a Murray*  
Witness

LYNNE ANN MURRAY  
Witness full name

SIGNED SEALED AND DELIVERED by )  
CAROL ALINE RUSS as Member in the )  
presence of: )

  
CAROL ALINE RUSS

  
Witness

LYNNE ANN MURRAY  
Witness full name

**THE RUSS RETIREMENT FUND  
(Fund)**

**RESOLUTION OF THE TRUSTEES**

We, the undersigned:


Michael Warrick Russ

Carol Aline Russ

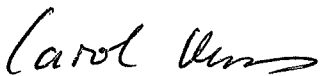
being all of the trustees of the Fund (**Trustees**), do hereby resolve as follows:

DEED OF RATIFICATION That the Trustees execute the Deed of Ratification and  
AND RECTIFICATION: Rectification produced with this resolution.

DATED | NOVEMBER 2017



**MICHAEL WARRICK RUSS**



**CAROL ALINE RUSS**

**THE RUSS RETIREMENT FUND  
(Fund)**

**RESOLUTION OF THE MEMBERS**

We, the undersigned:

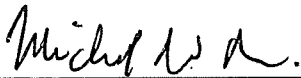
Michael Warrick Russ

Carol Aline Russ

being all of the members of the Fund (**Members**), do hereby resolve as follows:

DEED OF RATIFICATION That the Members execute the Deed of Ratification and  
AND RECTIFICATION: Rectification produced with this resolution.

DATED 1 NOVEMBER 2017



MICHAEL WARRICK RUSS



CAROL ALINE RUSS