# Appointment as Trustee

#### F and F Hernandez Superannuation Fund

Hernandez Nominees Pty Ltd ACN 006113499 of 66 Edwardes Street, Reservoir, VIC 3073 Hereby declares that:

- 1. it consents to the appointment to act as trustee of the Fund; and
- 2. to be bound by the constitution of the company, the Fund's trust deed and all of the rules contained within the governing rules of the Fund and the laws under the Superannuation Industry (Supervision) Act 1993 ('SIS Act'), the Income Tax Assessment Act 1997, the Family Law Act 1975 (Part VIIIB), the Social Security Act 1991, the relevant State Trustee Act, any successor acts and all regulations made for the purposes of the foregoing acts to ensure that:
  - a. The Fund elects to be a regulated superannuation fund under the S/S Act;
  - The Fund is continuously maintained as a self managed superannuation fund;
     and
  - c. The Fund remains a continuously complying superannuation fund.
- 3. all of the directors of the trustee company are members of the Fund unless specifically exempted under Section 17A of the SIS Act and that no director is a disqualified person as that term is defined under the rules of the Fund and pursuant to Part 15 of the SIS Act. A disqualified person includes:
  - a. A person found guilty of a dishonest conduct offence in Australia or elsewhere;
  - b. A person that is insolvent under administration pursuant to the Bankruptcy Act 1966:
  - c. A person disqualified by the Regulator, as that term is defined under the rules of the Fund, according to Section 120A of the SIS Act.
- 4. A receiver, or a receiver and manager has not been appointed in respect of the property beneficially owned by the company, or an official manager, or a deputy official manager, or a provisional liquidator has not been appointed to the company, nor is the company being wound up.

The appointment is to last only so long as the continuing appointment does not render the fund a non-complying self managed superannuation fund. Where the appointment jeopardises the fund's complying status, the trustee agrees to resign with effect immediately upon it becoming known that the continuing appointment may result in the Fund becoming a non-complying self managed superannuation fund.

Signed by:

Director of Hemanidez Nominees Pty Ltd ACN 006113499

17/4/2013 Date

# **Application for Membership**

#### F and F Hernandez Superannuation Fund

I, Francesca Hernandez of 73 Carnarvon Road, STRATHMORE, VIC 3041

have been formally appointed as a director of Hernandez Nominees Pty Ltd ACN 006113499 of 66 Edwardes Street, Reservoir, VIC 3073 ('the trustee') the trustee for the Fund. As such I hereby apply for membership of the Fund and consent to becoming a member of it. I confirm that I am not aware of any impediment to my becoming a member. I acknowledge that I have read the product disclosure statement including any written or audiovisual information provided to me.

I agree, upon acceptance of my membership to:

- 1. Be bound by the terms of the deed and all of the rules of the Fund;
- Be bound by all decisions of the trustee including decisions that may impact upon my membership benefits provided those decisions are made in accordance with the rules of the fund, the superannuation laws and the trustee laws;
- 3. Be a director of the trustee unless there is a specific trustee exemption in place in respect of my membership under the superannuation laws;
- 4. Provide information to the trustee where required including medical information enabling the trustee to facilitate any death or disablement insurance on my behalf:
- 5. Provide my tax file number to the trustee provided the trustee abides by the laws relating to the collection and dissemination of my tax file number;
- 6. Consent to the trustee to hold that information despite anything to the contrary in the privacy legislation;
- 7. Provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a binding death benefit nomination;
- 8. Ensure that at the time of making any super contributions, transfers or rollovers that those contributions, transfers and rollovers are made in accordance with the superannuation laws;
- 9. Notify the trustee where I become disabled, retired, have reached preservation age or meet some other condition of release of my benefits from the preservation rules.
- 10. Notify the trustee where I become separated from my spouse, if I have one and the separation is deemed by either spouse to be irreconcilable.

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# **Application for Membership**

#### F and F Hernandez Superannuation Fund

I, Fortunato Hernandez of 73 Carnarvon Road, STRATHMORE, VIC 3041

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  of the fund, the superannuation laws and the trustee laws;
- 3. Be a director of the trustee unless there is a specific trustee exemption in place in respect of my membership under the superannuation laws;
- 4. Provide information to the trustee where required including medical information enabling the trustee to facilitate any death or disablement insurance on my behalf;
- 5. Provide my tax file number to the trustee provided the trustee abides by the laws relating to the collection and dissemination of my tax file number;
- 6. Consent to the trustee to hold that information despite anything to the contrary in the privacy legislation;
- 7. Provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a binding death benefit nomination;
- Ensure that at the time of making any super contributions, transfers or rollovers that those contributions, transfers and rollovers are made in accordance with the superannuation laws;
- 9. Notify the trustee where I become disabled, retired, have reached preservation age or meet some other condition of release of my benefits from the preservation rules.
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### Notification of Appointment and Acceptance

as a Director of Hernandez Nominees Pty Ltd ACN 006113499('the trustee') and as a Member

#### F and F Hernandez Superannuation Fund

To: Francesca Hernandez

The trustee has reviewed your application to join the Fund as a member that is conditional upon your appointment as a director of the trustee. It has been resolved by the trustee to:

- Appoint you firstly as a director of the trustee. As director of the trustee you have agreed to be bound by the constitution of the trustee, the trust deed and rules of the Fund and the superannuation, taxation, family law, social security and State trustee laws:
- Accept you as a member conditional upon you becoming first appointed as a director
  of the trustee. As a member you have acknowledged that you have read the product
  disclosure statement as required by the rules of the Fund and have agreed to be
  bound by the trust deed and rules of the Fund.

You would already have received a Product Disclosure Statement explaining your rights and responsibilities under the rules of the Fund as both a trustee and as a member. However we advise, that as a director of the trustee it is your responsibility to become acquainted with the constitution of the company and the rules of the Fund.

Furthermore we advise that you have a responsibility to complete the declaration provided on a form approved by the Regulator (Australian Taxation Office) that you understand your duties and obligations as director of the trustee.

Signed by and on behalf of the trustee:

If Thernounder Signature	Date 1203
Please print name	

### Notification of Appointment and Acceptance

as a Director of Hernandez Nominees Pty Ltd ACN 006113499('the trustee') and as a Member

#### F and F Hernandez Superannuation Fund

To: Fortunato Hernandez

The trustee has reviewed your application to join the Fund as a member that is conditional upon your appointment as a director of the trustee. It has been resolved by the trustee to:

- 1. Appoint you firstly as a director of the trustee. As director of the trustee you have agreed to be bound by the constitution of the trustee, the trust deed and rules of the Fund and the superannuation, taxation, family law, social security and State trustee laws:
- Accept you as a member conditional upon you becoming first appointed as a director
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You would already have received a Product Disclosure Statement explaining your rights and responsibilities under the rules of the Fund as both a trustee and as a member. However we advise, that as a director of the trustee it is your responsibility to become acquainted with the constitution of the company and the rules of the Fund.

Furthermore we advise that you have a responsibility to complete the declaration provided on a form approved by the Regulator (Australian Taxation Office) that you understand your duties and obligations as director of the trustee.

Signed by and on behalf of the trustee:

Signed by and on behalf of the trustee.	
F Leekondes	17 / 4 / 26/7 Date
Please print name	