

MEMBER'S NOTICE OF Chester Cook Super Fund ("the Fund") TRUST DEED VARIATION

To: Sharon Mei Wan Lok

The Trustee advises that the Fund has upgraded its Trust Deed by a variation to the Fund's Governing Rules.

The Trust Deed Upgrade was undertaken to assure the Fund complies with the current Superannuation Laws - the *Superannuation Industry (Supervision) Act 1993* and the *Superannuation Industry (Supervision Regulation 1994)*.

The Trust Deed Upgrade was undertaken to assure the Fund's Trust Deed accommodated changes with the recent superannuation reforms and will provide the Member with the ability to undertake a range of SMSF strategies that are available, in particular with contributions, the payment of income streams and estate planning.

The Trustee advises that the Upgrade of the Fund's Trust Deed replaces the previous Fund Trust Deed and comes into effect on the date of the execution of the Trust Deed Upgrade.

Features of the Trust Deed Upgrade:

Rule 10 - Creating a Member SMSF Living Will

Members can direct the Trustee of the Fund as to how their superannuation benefits are to be paid in the event of incapacity.

Rule 11 - Creating a Member SMSF Estate Plan and SMSF Will

Members have a choice of selecting one of the following for the payment of their superannuation death benefits:

1. A Non-Binding Death Benefit Nomination in the format as provided for in Schedule 1 of the Trust Deed Upgrade;
2. A Binding Death Benefit Nomination in the format as provided for in Schedule 2 of the Trust Deed Upgrade;
3. A non-Lapsing Binding Death Benefit Nomination in the format as provided for in Schedule 2 of the Trust Deed Upgrade;
4. A SMSF Will incorporating a non-lapsing binding death benefit nomination and non-lapsing direction to the Trustee to be drafted in accordance with the provision of the Trust Deed Upgrade.

Members must note that all superannuation death benefits must be paid to either a dependant or their Legal Personal Representative of their Estate.

A member's SMSF Will can deal with the payment in specie of a member's death benefit. It becomes an operative Rule of the Fund and can only be changed by the member. Advice as to the content and drafting of a member's death benefit nomination, particularly of a SMSF Will should be undertaken by a Legal Practitioner suitably experience in the Superannuation jurisdiction.

Rule 25 - Accessing Member Superannuation Benefits

Where a Member has met a cashing condition, they have access to their superannuation benefits in the form of a Lump Sum or Superannuation Income Stream. Rule 25 outlines the various ways in which a Member and/or their beneficiary in the event of the Member's death can access Member Superannuation Benefits. This can incorporate adding specific instructions for the payment of a death benefit superannuation income stream, as long as the Fund remains a Complying SMSF. For example the creation by a Member of a Conditional Pension, which in circumstances of a blended family where a Member dies and wishes their surviving spouse or partner to receive an income stream from their superannuation death benefit. Any commutation of capital and other rules or requirements surrounding the Conditional Pension are formulated during the member's lifetime and must be paid in accordance with the Conditional Pension documentation.

Advice as to the content and drafting of a member's Conditional Pension should be undertaken by a Legal Practitioner suitably experienced in the Superannuation jurisdiction.

Rule 26 - Guardians for the Fund Members

The appointment of a Fund Member's Guardian is undertaken to allow this party to act as the "Gate Keeper" of the Condition Pension payments. These payments must be approved by the Fund Member's Guardian but such approval cannot be withheld if the payments are in accordance with the terms and conditions of the Conditional Pension.

Advice as to the appointment of a Fund Member's Guardian should be obtained from a Legal Practitioner suitably experienced in the Superannuation jurisdiction.



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Tushara Wickramariyaratne

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Date:

For and on behalf of the Fund Trustee

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