

## CONSENT TO BE A MEMBER AND HOLD SHARES

SIXBURKES Pty Ltd

ACN: 652 527 118

Dimitrios David Burke of 18 Glenside Street, BALGOWLAH HEIGHTS, NSW 2093 consents to become a MEMBER and agrees to take up the following shares in the Company:

Number of Shares:	10
Class of Shares:	ORD
Amount Paid per Share (\$):	\$1.00
Amount Unpaid per Share (\$):	\$0.00

Signed:

**The Member**

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Signed by Dimitrios David Burke:



Dimitrios David Burke  
Member

Dated: 18/08/2021

 SIGN HERE  
PLEASE

# SHARE CERTIFICATE #1

SIXBURKES Pty Ltd

ACN: 652 527 118

(Registered under the *Corporations Act 2001*)

Shareholder(s): Dimitrios David Burke

Address: 18 Glenside Street,  
BALGOWLAH HEIGHTS, NSW, 2093

is/are the registered holder(s)  
of 10 ORD Shares  
(serial numbers 1 - 10 inclusive)  
in the Company issued on 4 August 2021  
\$0.00 remains unpaid per share.

Signed:

**The Director**

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Signed by Dimitrios David Burke:



Dimitrios David Burke  
Director

Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

## CONSENT TO ACT AS A SECRETARY

SIXBURKES Pty Ltd

ACN: 652 527 118

Full name: Dimitrios David Burke  
Former name (if any):  
Date of Birth: 22 July 1968  
Place of birth: Lower Hutt, New Zealand  
Address: 18 Glenside Street,  
BALGOWLAH HEIGHTS, NSW, 2093

consents to act as a secretary of the Company.

Signed:

**The Secretary**

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Signed by Dimitrios David Burke:



 SIGN HERE  
PLEASE

Dimitrios David Burke  
Secretary

Dated: 13/08/2021

## CONSENT TO ACT AS A DIRECTOR

SIXBURKES Pty Ltd

ACN: 652 527 118

Full name: Dimitrios David Burke  
Former names (if any):  
Date of birth: 22 July 1968  
Place of birth: Lower Hutt, New Zealand  
Address: 18 Glenside Street,  
BALGOWLAH HEIGHTS, NSW, 2093

consents to act as a director of the Company.

Signed:

**The Director**

---

Signed by Dimitrios David Burke:



Dimitrios David Burke  
Director

Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

## CONSENT TO ACT AS A PUBLIC OFFICER

SIXBURKES Pty Ltd

ACN: 652 527 118

Full name: Dimitrios David Burke

Address: 18 Glenside Street, BALGOWLAH HEIGHTS, NSW 2093

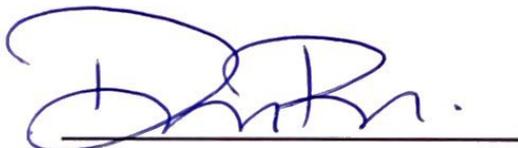
Hereby consents to my appointment as Public Officer of SIXBURKES Pty Ltd

Signed:

**The Public Officer**

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Signed by Dimitrios David Burke:



Dimitrios David Burke  
Public Officer

Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

**INCOME TAX ASSESSMENT ACT, 1936  
(AS AMENDED FROM TIME TO TIME)**

The Deputy Commissioner of Taxation  
Australian Taxation Office

**NOTICE OF APPOINTMENT OF PUBLIC OFFICER**

Dear Sir,

In accordance with the Income Tax Assessment Act 1936 (as amended from time to time), Dimitrios David Burke, whose signature appears below, has been appointed the Public Officer of SIXBURKES Pty Ltd ACN 652 527 118.

The address for service of notices is 18 Glenside Street, BALGOWLAH HEIGHTS, NSW 2093

Signed:

**The Public Officer**

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Signed by Dimitrios David Burke:



**Dimitrios David Burke**  
Public Officer

Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

**Adoption of constitution**

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- 12 Resolved that the attached constitution at Annexure 1 be provided to the Initial Member for signing and adoption as the constitution of the Company.

**Auditors**

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- 13 Resolved that no auditors be appointed for the time being.

**Signed:**

**The Director**

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Signed by Dimitrios David Burke:



**Dimitrios David Burke**  
Director

Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

# Trust Deed of DDBurke Super Fund

Date of Establishment

 DATE HERE PLEASE  
18/08/2021

This deed is made by

SIXBURKES Pty Ltd - ACN 652 527 118 of 18 Glenside Street, BALGOWLAH HEIGHTS, NSW 2093, ('the Trustee').

## 1. Background

- A. The Trustee wishes to establish a Self Managed Superannuation Fund for the provision of superannuation benefits for those persons who become Members of the Fund and their Dependents.
- B. It is intended by this Deed to establish a Self Managed Superannuation Fund to be known as DDBurke Super Fund (hereinafter called '**the Fund**').
1. The Trustee has agreed to act as the first trustee of the Fund.
  2. The Trustee will at all times maintain the Fund as a Complying Self Managed Superannuation Fund.

**The Trustee HEREBY DECLARES that the terms of this Deed are as follows:**

### 1. Name of the Fund

The trusts created by this Deed shall be DDBurke Super Fund.

### 2. Establishment of the Fund

- 2.1 The Fund will be established as and from the date of this Deed.
- 2.2 The Fund will be managed, administered and applied in accordance with both this Deed, the Rules of the Fund and the Relevant Law.

### 3. Fund vested in Trustee

The Fund will be vested in the Trustee and:

- 3.1 will at all times be held, controlled and managed by the Trustee in accordance with this Deed, the Rules of the Fund and the Relevant Law; and
- 3.2 no Member will have any beneficial interest in the Fund or any asset of the Fund.

### 4. Regulated Superannuation Fund

- 4.1 Upon execution of this Deed the Trustee will elect for the Fund to be a Regulated Superannuation Fund.

**DDBurke Super Fund**

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**Executed as a Deed**

**The Trustee**

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Signed, Sealed and Delivered by SIXBURKES Pty Ltd - ACN 652 527 118 by:



**Dimitrios David Burke**  
Sole Director / Secretary

 **SIGN HERE  
PLEASE**

- e) appoint relevant professionals including, where required, an accountant, administrator, auditor, SMSF expert, SMSF investment expert and any other professional deemed appropriate; and
- f) accept Dimitrios David Burke as initial member of the Fund.

**The Director**

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Signed by Dimitrios David Burke:



Dimitrios David Burke  
Director

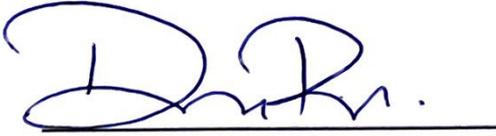
Dated: 18/08/2021

 **SIGN HERE  
PLEASE**

**The Trustee**

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Signed, Sealed and Delivered by SIXBURKES Pty Ltd - ACN 652 527 118 by:



**Dimitrios David Burke**  
Sole Director / Secretary

 **SIGN HERE  
PLEASE**

- 11 I agree to all of the terms and conditions set out in the trust deed for the Fund, as amended from time to time.
- 12 I declare that the information I provide to the Trustee is true and correct. I acknowledge it is my responsibility to inform the Trustee of any error or changes regarding these matters.

I hereby authorise my current employer to deduct from my salary such amounts (if any) as are from time to time agreed upon by myself and my employer as contributions to be made by me to the abovementioned Fund.

I hereby apply to make contributions to the Fund and agree to be bound by the trust deed and rules governing the Fund.

**NOMINATION OF BENEFICIARIES**

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(If you wish to make a Binding Death Benefit Nomination please submit it separately)

Whilst I acknowledge the discretion the Trustees have to determine who the benefit is paid to, I hereby nominate the following persons to receive the benefit payable by the Trustees of the Fund in the event of my death:

Name and Address	Relationship to member	Proportion of benefit
<u>SHEEY ANN BURKE</u> <u>18 Glonside Street</u> <u>Balgownie Heights 2093</u> <u>NSW</u>	<u>Partner</u>	<u>100</u> %  _____ %

**The Member**

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Signed by Dimitrios David Burke:



Dimitrios David Burke  
Member

Dated: 18/08/2021



- borrowing money (or maintaining an existing borrowing) on behalf of the fund except in certain limited circumstances (while limited recourse borrowing arrangements are permitted, they can be complex and particular conditions must be met to ensure that legal requirements are not breached)
- acquiring an in-house asset if the fund's in-house assets exceed 5% of the market value of the fund's total assets, or the in-house assets will exceed 5% of the market value of the fund's total assets by acquiring the asset (in-house assets are loans to, or investments in, related parties of the fund – including trusts – or assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party)
- entering into investments that are not made or maintained on an arm's length (commercial) basis (this ensures the purchase or sale price of the fund's assets and any earnings from those assets reflects their market value).

**Administration**

I understand that the trustees of the fund must:

- keep and retain for at least 10 years
  - minutes of all trustee meetings at which matters affecting the fund were considered (this includes investment decisions and decisions to appoint members and trustees, the retirement of members and payment of benefits)
  - records of all changes of trustees, including directors of the corporate trustee
  - each trustee's consent to be appointed as a trustee of the fund or a director of the corporate trustee
  - all trustee declarations
  - copies of all reports given to members
  - documented decisions about storage of collectables and personal use assets
- ensure that the following are prepared and retained for at least five years
  - an annual statement of the financial position of the fund
  - an annual operating statement
  - copies of all annual returns lodged
  - accounts and statements that accurately record and explain the transactions and financial position of the fund including asset market valuation
  - copies of Transfer balance account reports lodged
  - copies of any other statements you are required to lodge with us or provide to other super funds
- appoint an approved SMSF auditor each year, no later than 45 days before the due date for lodgment of the fund's annual return and provide documents to the auditor as requested
- lodge the fund's annual return, completed in its entirety, by the due date
- review the independent audit report received from the approved SMSF auditor and take action as required
- notify the ATO within 28 days of any changes to the
  - membership of the fund, or trustees or directors of the corporate trustee
  - name of the fund
  - contact person and their contact details
  - postal address, registered address or address for service of notices for the fund
- notify the ATO in writing within 21 days if the fund becomes an Australian Prudential Regulation Authority (APRA) regulated fund.

**DECLARATION**

By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self-managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and, if I fail to do this, penalties may apply.
- Administrative penalties can be imposed on me for not complying with the legislation
- I may have to make this document available for inspection by a member of staff of the ATO and, if I fail to do this, penalties may apply.
- I do not have access to the government's financial assistance program that is available to trustees of APRA regulated funds in the case of financial loss due to fraudulent conduct or theft.

Trustee's or director's name

Dimitrios David Burke

Trustee's or director's signature

*[Handwritten Signature]*

Date <sup>DBS</sup> 18/08/2021  SIGN HERE PLEASE

Witness' name (witness must be 18 years old or over)

Sherry Ann BURKE

Witness' signature

*[Handwritten Signature]*

Date 18/08/2021  SIGN HERE PLEASE

## Member resolution

SIXBURKES Pty Ltd

ACN 652 527 118

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### Constitution

- 1 The Company wishes to adopt a constitution in the form contained in Annexure 1.

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### Resolution

- 2 It is resolved to adopt a constitution in the form contained in Annexure 1 as the constitution for the Company.
- 3 It is resolved that the sole purpose of the Company is to act as trustee of a self-managed superannuation fund.
- 4 This resolution is made in accordance with section 136(1) of the *Corporations Act 2001* (Cth), by a special resolution of members.

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### The Member

Signed by Dimitrios David Burke:



Dimitrios David Burke  
Member

Dated: 18/08/2021

 SIGN HERE  
PLEASE