

THIS DEED is made on:.....27 JULY 2020.....(insert date of execution)

BY: **RODJAYNE PTY LTD** ACN 135 257 724 care of 2/211 Warrigal Road, Hughesdale, Victoria 3166 ('Trustee')

**RECITALS:**

- A The fund known as 'Harper Super Fund' ('Fund') was established by deed dated 6 February 2009.
- B The Trustee is the current trustee of the Fund.
- C The Trustee proposes to vary the current governing rules of the Fund ('Outgoing Governing Rules') to ensure the Fund continues to comply with the *Superannuation Industry (Supervision) Act 1993* (Cth) ('SISA') and the *Superannuation Industry (Supervision) Regulations 1994* (Cth) ('SISR'). Broadly, the variation will delete the provisions of the Outgoing Governing Rules and replace them with the new governing rules attached to this deed ('New Governing Rules').
- D Subject to certain provisos, the Outgoing Governing Rules empower the Trustee to vary the Outgoing Governing Rules.
- E Subject to rule 1, the purpose of the Fund is to provide superannuation benefits to Members, and in the event of their death, to their Dependants and to act for any other purposes as permitted from time to time by the SISA and the SISR.
- F The Fund is a complying superannuation fund under the *Income Tax Assessment Act 1936* (Cth) and the *Income Tax Assessment Act 1997* (Cth).
- G The Trustee confirms the proposed variation accords with the provisos limiting variation of the Outgoing Governing Rules and does not give rise to any change in beneficial entitlement in the Fund.
- H Details of the Fund on execution of this deed are summarised in the schedule attached to this deed.
- I Each person named under the heading 'Member details' in the schedule to this deed is a Member of the Fund at the time this deed is executed. Each Member signs the schedule, where indicated, to confirm they are bound by this deed and the New Governing Rules. Moreover, each Member is bound even regardless of whether the schedule is signed.


**PROVISIONS:**


- 1. Subject to provisions 2 and 3 below:
  - 1.1 the Outgoing Governing Rules (including any schedules thereto) are varied by deleting all of the operative provisions therein and replacing them with this deed and the New Governing Rules; and
  - 1.2 this deed and the New Governing Rules are subject to the interpretation and definition provisions in the New Governing Rules.
- 2. Subject to the Standards, any provisions or schedules in the Outgoing Governing Rules that:
  - 2.1 provide for the payment of a Benefit (including a Defined Benefit Pension) that is still being provided, the provision of which is not specifically contemplated in the New Governing Rules;
  - 2.2 specify a perpetuity period;

**EXECUTED** as a deed.

**TRUSTEE**

EXECUTED by **RODJAYNE PTY LTD ACN** )  
135 257 724 in accordance with s 127 of the )  
*Corporations Act 2001* (Cth): )  
)

  
\_\_\_\_\_  
Signature of **DIRECTOR/ SECRETARY**  
**JAYNE HARPER**  
\_\_\_\_\_  
Name of signing officeholder

  
\_\_\_\_\_  
Signature of **DIRECTOR**  
**RODNEY JAMES HARPER**  
\_\_\_\_\_  
Name of signing officeholder

**SCHEDULE**

**Fund details**

Fund name: Harper Super Fund

**Trustee details**

Name: RODJAYNE PTY LTD ACN 135 257 724

Address: 2/211 Warrigal Road, Hughesdale, Victoria 3166

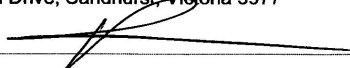
**Member details (signature optional)**

*The signature of each Member below confirms each Member is bound by the deed and the New Governing Rules. Note that each Member remains bound regardless of whether this schedule is signed or not.*

Name: RODNEY JAMES HARPER

Address: 23 Barton Drive, Sandhurst, Victoria 3977

Signature: \_\_\_\_\_



Name: JAYNE HARPER

Address: 23 Barton Drive, Sandhurst, Victoria 3977

Signature: \_\_\_\_\_

