



## Self managed super fund trustee declaration

I understand that as a director of HKM Super Pty Ltd the corporate trustee of HKM Superannuation Fund

I am responsible for ensuring that the fund complies with the Superannuation Industry (Supervision) Act 1993 (SISA) and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing the fund's compliance with the law.

If I do not comply with the legislation, the Commissioner may take the following actions:

- Impose administrative penalties on me

- Enter into agreements with me to rectify any contraventions of the legislation

- Disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future

- Remove the fund's complying status resulting in a significant tax penalty on the fund, and

- Prosecute me under the law, resulting in fines or imprisonment.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

### **Sole Purpose**

I understand it is my responsibility to ensure the fund is maintained for the purpose of providing benefits to its members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies.

### **Trustee Duties**

I understand that by law I must:

- Act honestly in all matters concerning the fund

- Exercise skill, care and diligence in managing the fund

- Act in the best interests of all the members of the fund

- Ensure that my money and other assets are kept separate from the money and other assets of the fund

- Take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)

- Not enter into any contract, or do anything, that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund

- Prepare and implement an investment strategy that takes the whole of the fund's circumstances into account, which includes, but is not limited to

  - the risks associated with the fund's investments

  - the likely return from investments, taking into account the fund's objectives and expected cash flow requirements

  - investment diversity and the fund's exposure to risk due to inadequate diversification, and

  - the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities.

- Allow all members of the fund to have access to information and documents as required, including details about

  - the financial situation of the fund

  - the investments of the fund, and

  - the members' benefit entitlements.

## **Investment Restrictions**

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from the following:

Lending money of the fund to, or providing financial assistance to, a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly including the provision of credit)

Acquiring assets (other than listed securities, business real property or managed funds) for the fund from members or associates or other related parties of the fund

Borrowing money (or maintaining an existing borrowing) on behalf of the fund and having more than 5% of the fund's total assets at any time of the year as loans to, or investments in, related parties of the fund (including trusts) and assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party (these assets are in-house assets), and

Entering into investments on behalf of the fund that are not made or maintained on an arm's length (commercial) basis, ensuring that the purchase or sale price of the fund's assets reflect market value.

## **Accepting contributions and paying a benefit**

I understand that I can only accept contributions and pay benefits (pensions or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund's governing rules (including its trust deed) have been met.

## **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)  
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, and  
all trustee declarations.

Ensure that the following are prepared and retained for at least 5 years

a statement of financial position  
an operating statement, and  
accounts and statements that correctly record and explain the transactions and financial position of the fund.

Notify the tax office within 28 days of any changes in  
trustees, directors of the corporate trustee or members of the fund  
fund name

details of the contact person, contact phone and facsimile numbers, and  
the postal address, registered address, or address for service of notices for the fund.

Notify the tax office in writing as soon as practicable (not later than 28 days) after becoming aware that the fund has ceased to be a self-managed superannuation fund or ceased to exist

Ensure that an approved auditor is appointed to audit the fund for each income year and provide that auditor with documents as requested, and

Lodge the fund's annual return by the due date.

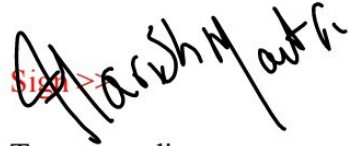
**Declaration**

By signing this declaration I acknowledge that I understand my duties and responsibilities as a director of HKM Super Pty Ltd the corporate trustee of HKM Superannuation Fund. 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, and

I may have to make this document available for inspection by a member of staff of the tax office and if I fail to do this, penalties may apply.

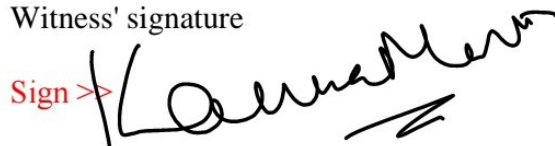
Trustee or director signature

Sign >> 

date 20 October 2023

Trustee or director name  
Harish Mantri

Witness' signature

Sign >> 

date 20 October 2023

Witness' name (witness must be over the age of 18 years)



## Self managed super fund trustee declaration

I understand that as a director of HKM Super Pty Ltd the corporate trustee of HKM Superannuation Fund

I am responsible for ensuring that the fund complies with the Superannuation Industry (Supervision) Act 1993 (SISA) and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing the fund's compliance with the law.

If I do not comply with the legislation, the Commissioner may take the following actions:

- Impose administrative penalties on me

- Enter into agreements with me to rectify any contraventions of the legislation

- Disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future

- Remove the fund's complying status resulting in a significant tax penalty on the fund, and

- Prosecute me under the law, resulting in fines or imprisonment.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

### **Sole Purpose**

I understand it is my responsibility to ensure the fund is maintained for the purpose of providing benefits to its members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies.

### **Trustee Duties**

I understand that by law I must:

- Act honestly in all matters concerning the fund

- Exercise skill, care and diligence in managing the fund

- Act in the best interests of all the members of the fund

- Ensure that my money and other assets are kept separate from the money and other assets of the fund

- Take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)

- Not enter into any contract, or do anything, that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund

- Prepare and implement an investment strategy that takes the whole of the fund's circumstances into account, which includes, but is not limited to

  - the risks associated with the fund's investments

  - the likely return from investments, taking into account the fund's objectives and expected cash flow requirements

  - investment diversity and the fund's exposure to risk due to inadequate diversification, and

  - the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities.

- Allow all members of the fund to have access to information and documents as required, including details about

  - the financial situation of the fund

  - the investments of the fund, and

  - the members' benefit entitlements.

## **Investment Restrictions**

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from the following:

Lending money of the fund to, or providing financial assistance to, a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly including the provision of credit)

Acquiring assets (other than listed securities, business real property or managed funds) for the fund from members or associates or other related parties of the fund

Borrowing money (or maintaining an existing borrowing) on behalf of the fund and having more than 5% of the fund's total assets at any time of the year as loans to, or investments in, related parties of the fund (including trusts) and assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party (these assets are in-house assets), and

Entering into investments on behalf of the fund that are not made or maintained on an arm's length (commercial) basis, ensuring that the purchase or sale price of the fund's assets reflect market value.

## **Accepting contributions and paying a benefit**

I understand that I can only accept contributions and pay benefits (pensions or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund's governing rules (including its trust deed) have been met.

## **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)

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, and

all trustee declarations.

Ensure that the following are prepared and retained for at least 5 years

a statement of financial position

an operating statement, and

accounts and statements that correctly record and explain the transactions and financial position of the fund.

Notify the tax office within 28 days of any changes in

trustees, directors of the corporate trustee or members of the fund

fund name

details of the contact person, contact phone and facsimile numbers, and

the postal address, registered address, or address for service of notices for the fund.

Notify the tax office in writing as soon as practicable (not later than 28 days) after becoming aware that the fund has ceased to be a self-managed superannuation fund or ceased to exist

Ensure that an approved auditor is appointed to audit the fund for each income year and provide that auditor with documents as requested, and

Lodge the fund's annual return by the due date.

**Declaration**

By signing this declaration I acknowledge that I understand my duties and responsibilities as a director of HKM Super Pty Ltd the corporate trustee of HKM Superannuation Fund. 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, and

I may have to make this document available for inspection by a member of staff of the tax office and if I fail to do this, penalties may apply.

Trustee or director signature

*Sign >>*  
  
Trustee or director name  
Kamna Mantri

date 20 October 2023

*Sign >>*  
  
Witness' signature

date 20 October 2023

Witness' name (witness must be over the age of 18 years)

The Trustees,  
HKM Superannuation Fund,  
6 Samuel Way  
PAMULWUY NSW 2145








### **Trustee Standards**

I am a director of HKM Super Pty Ltd, and confirm my consent to act as director of the Superannuation Fund's Trustee,




I declare that I am not a Disqualified Person under the Superannuation Industry (Supervision) Act ("SIS"), I have never been convicted of a dishonest conduct offence, no civil penalty order has been made against me and I am not an insolvent under administration.

I further declare that HKM Super Pty Ltd is a Constitutional Corporation under SIS and is eligible to act as Trustee.





I am aware that my duties as director of HKM Super Pty Ltd in its capacity as Trustee to the HKM Superannuation Fund as set out in S.52 of the SIS Act as compulsory covenants are to:-

-  act honestly,
-  exercise care, skill & diligence,
-  always act in the best interests of the beneficiaries of the fund,
-  keep Fund assets separate from my own assets,
-  formulate an investment strategy,
-  allow beneficiaries access to prescribed information,
-  not do anything that would prevent the Trustee from properly performing its duties.

and that other requirements of the SIS Act generally are to:

-  maintain accurate accounting records,
-  lodge an annual return with the ATO,
-  notify the ATO of any adverse events,

comply with the vesting and preservation rules and other operating standards which include the restrictions on;

-  acquiring assets from members,
-  borrowings, other than for payment of benefits,
-  lending money to members,
-  making payments to HKM Super Pty Ltd or any of its associated entities.

**Sign >>**

Harish Mantri

date 20 October 2023

The Trustees,  
HKM Superannuation Fund,  
6 Samuel Way  
PAMULWUY NSW 2145








### **Trustee Standards**

I am a director of HKM Super Pty Ltd, and confirm my consent to act as director of the Superannuation Fund's Trustee,




I declare that I am not a Disqualified Person under the Superannuation Industry (Supervision) Act ("SIS"), I have never been convicted of a dishonest conduct offence, no civil penalty order has been made against me and I am not an insolvent under administration.

I further declare that HKM Super Pty Ltd is a Constitutional Corporation under SIS and is eligible to act as Trustee.





I am aware that my duties as director of HKM Super Pty Ltd in its capacity as Trustee to the HKM Superannuation Fund as set out in S.52 of the SIS Act as compulsory covenants are to:-

-  act honestly,
-  exercise care, skill & diligence,
-  always act in the best interests of the beneficiaries of the fund,
-  keep Fund assets separate from my own assets,
-  formulate an investment strategy,
-  allow beneficiaries access to prescribed information,
-  not do anything that would prevent the Trustee from properly performing its duties.

and that other requirements of the SIS Act generally are to:

-  maintain accurate accounting records,
-  lodge an annual return with the ATO,
-  notify the ATO of any adverse events,

comply with the vesting and preservation rules and other operating standards which include the restrictions on;

-  acquiring assets from members,
-  borrowings, other than for payment of benefits,
-  lending money to members,
-  making payments to HKM Super Pty Ltd or any of its associated entities.

  
Sign >  
Kamna Mantri

date 20 October 2023



The Trustees,  
HKM Superannuation Fund,  
6 Samuel Way  
PAMULWUY NSW 2145

### Trustee's Consent

We, being all of the directors of HKM Super Pty Ltd, confirm that by resolution, HKM Super Pty Ltd confirmed its consent to act as Trustee to HKM Superannuation Fund.

Sign >   
Harish Mantri

date 20 October 2023

Sign >   
Kamna Mantri

date 20 October 2023

**Memorandum Of A Resolution Of Directors Of HKM Super Pty Ltd as Corporate Trustee of HKM Superannuation Fund**

---

**Resolution**

It was resolved that the company will continue to act as Trustee to the HKM Superannuation Fund and that a letter confirming this resolution should be sent to that Fund

All directors of HKM Super Pty Ltd at this date (20 October 2023), hereby confirm and adopt the above resolution of the company

Sign >>   
Harish Mantri

Sign >>   
Kamna Mantri

# Memorandum Of A Resolution Of Directors Of HKM Super Pty Ltd as Corporate Trustee of HKM Superannuation Fund

---

## Investment Policy

The Fund's investment policy was reviewed and adopted as current

In adopting the investment strategy the Trustee has had regard to the following

that the purpose of the Fund is to provide retirement benefits to members and their dependants

the value of the Fund, and the amounts available for investing

the age of the Fund's members the Fund's time horizon and its ability to discharge existing and prospective liabilities

the members' risk tolerances

that while the Fund will seek to minimise investment risk by appropriate diversification across the range of asset classes over the full term of the Fund in the shorter period a significant exposure to one class of investment will be unavoidable

that the Fund is likely to secure higher long term returns while limiting variability by maintaining high exposure to one class of investment which then is consistent with the investment objectives.

that monitoring policies need to be implemented to measure the performances of individual assets and classes against suitable indices and benchmarks and to assess returns against those achieved by similar funds and to regularly balance the asset portfolio as a result of adjustments in market conditions

The investment policy is formulated upon the following primary rules

the Fund will not lend money or give any other financial assistance to Harish Mantri or Kamna Mantri or to a relative of Harish Mantri Kamna Mantri or

the Fund will not intentionally acquire an asset from Harish Mantri Kamna Mantri or from a relative of

Harish Mantri or Kamna Mantri or unless it is either "cash" or a listed public security with a readily determined market value

the Fund will not borrow or maintain an existing borrowing of money

the Fund will not make a loan to HKM Super Pty Ltd or an associate of HKM Super Pty Ltd

all investments and dealings by the Fund will be on an arms length basis

the Trustee will identify parties in dealings to ensure that all of these requirements are complied with fully and at all times

All directors of HKM Super Pty Ltd date (20 October 2023), hereby confirm and adopt the above resolution of the company

Sign >>

  
Harish Mantri

Sign >>


  
Kamna Mantri


**Memorandum of a Resolution of Directors of HKM Super Pty Ltd as Trustee of the HKM Superannuation Fund**

**Valuation of Assets** The Trustees are is required by Regulation 8.02B of the SI(S) Regulations to use market value reporting for the financial statements and that the valuation be supported by objective and supportable date and that the valuation methodology should be capable of being explained to a third party

**Valuation Methodology** The Trustees have has confirmed that all the assets of the Fund have been reviewed in accordance with the ATO valuation guidelines for self-managed superannuation funds and are reported in the accounts at the market value

All directors of HKM Super Pty Ltd at this date, hereby confirms and adopts the above resolution of the company

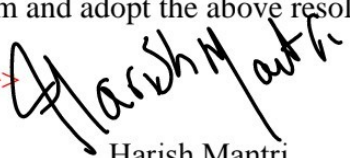
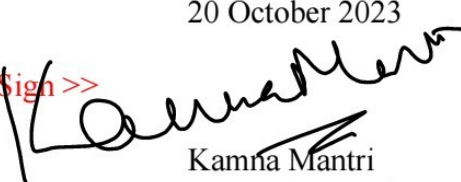
  
.....Dated 20 October 2023  
Harish Mantri

  
.....Dated 20 October 2023  
Kamna Mantri

**Memorandum Of A Resolution Of Directors Of HKM Super Pty Ltd as Corporate Trustee of HKM Superannuation Fund**

---

<p><b>Trustees Annual Review</b></p>	<p>The Directors having completed a detailed review of the Fund's operations for the year determined that the Fund has complied with all ATO regulations and requirements, except loans as notified to the ATO, the sole purpose of the Fund is to provide superannuation benefits for members retirement the Trustee is a constitutional corporation and the Fund has lodged a "regulation election" the Fund has an Investment Policy &amp; Strategy that the Trustees check every time an investment is either purchased or sold to ensure that the Policy &amp; Strategy is strictly complied with.</p> <p>This Policy &amp; Strategy requires that</p> <ul style="list-style-type: none"> <li>- no loans are made to members (noted exception above)</li> <li>- investments are made on an arms length basis.</li> <li>- the Fund is not permitted to make a loan to, or invest in HKM Super Pty Ltd or any associate of HKM Super Pty Ltd</li> <li>- assets are not acquired from a member</li> </ul> <p>all member balances are fully vested in the member and preserved to the normal retiring age contributions have only been accepted in accordance with the Regulations</p> <p>the Fund has not borrowed any monies or maintained an existing borrowing of money and no assets of the Fund have been charged or used as security of any kind.</p> <p>there has not been any event having a significant effect on the financial position of the Fund and that all disclosure and reporting requirements have been met.</p> <p>It was resolved that a statement to this effect be signed by all director on behalf of the trustees and delivered to the Auditor.</p> <p>It was acknowledged that this statement would be used by the Auditor as a basis of preparing a report to the members of the Fund and to the ATO</p>
<p><b>Review of Investment Strategy</b></p>	<p>The Trustees tabled the investment strategy. This investment strategy was considered satisfactory given the ability of the Fund to discharge its debts and prospective liabilities having regard to its expected cashflow requirements. The Trustees are satisfied that the investment strategy requires no modification or</p>

	adaptation at this time.
<b>Contribution and Income</b>	The Trustees allocated contributions to members on the basis of the information provided by the employer, and resolved to allocate the net income of the Fund to members based on daily balances
	All directors of HKM Super Pty Ltd at this date, hereby confirm and adopt the above resolution of the company  Sign >>  Harish Mantri 20 October 2023  Sign >>  Kamna Mantri 20 October 2023

Tony Boys  
Box 3376  
Rundle Mall SA 5000

Dear Tony

## **PRE-AUDIT**

In preparation for your examination of the special purpose financial report of the HKM Superannuation Fund as at 30 June, 2023 the Trustees have completed a detailed review of the Fund's operations and the following representations are made which are true to the best of our knowledge and belief:

We confirm we are knowledgeable on the matters contained in this representation letter.

### **1. Documentation**

We acknowledge that we are responsible for providing you, as auditor, with access to all information that is relevant to the preparation of the financial report, and any additional information you may request, relevant to both the financial report and compliance audits.

### **2. Protecting Assets**

We have considered the importance of safeguarding the assets of the Fund, and we confirm we have the following procedures in place to achieve this:

- a) Authorised signatories on bank and investment accounts are regularly reviewed and considered appropriate; and
- b) Tangible assets are, where appropriate, adequately insured and (where relevant) appropriately stored.

### **3. Internal Control**

We note as the auditor that you are required to make enquiries regarding the internal controls in place, and we advise the following to assist you with your enquiries:

To enable you to obtain an understanding of the control environment relevant to the preparation of the financial report, it is noted that there is no formally documented set of controls, processes or structures. The Trustee operates on the basis that all relevant documentation is either provided to, or sourced (where possible) by the party charged with preparing the financial report.

It is noted that the Trustee does not have a formal process for monitoring internal controls relevant to the preparation of financial report comment save for reviewing the final reports for accuracy, and to confirm they reflect our understanding of the Fund.

The Fund does not have a formal process for identifying, estimating or assessing business risks relevant to the financial reporting objectives, and this is considered appropriate in the circumstances. Notwithstanding this assessment, should any business risks relevant to the financial reporting objectives be identified, we will ensure they are adequately addressed, as required in the circumstances.

### **4. Risk of Fraud**

We acknowledge the importance of placing a strong emphasis on fraud prevention.



The nature, extent and frequency of assessments undertaken by us to conclude that there is a low risk that the financial report is materially misstated due to fraud, are informal and ad hoc given the nature of the Fund, however we confirm:

- a) The Trustees are signatories on all transactions, no other party has the authority to act on behalf the Trustee;
- b) Reconciliations are undertaken by the Trustee or the Fund's accountant for both investments held and all bank accounts maintained by the Fund; and
- c) If the Trustee expects or anticipates contributions for any member, steps will be taken to monitor the timing of these receipts and to follow up any situation that might delay the deposit.

We have not identified any specific risks of fraud, however we acknowledge that if fraud existed within the Fund, the most likely areas of concern would be investments or cash being misappropriated or income or contributions being intercepted prior to being banked into the Fund bank account.

#### **5. Procedures for Identifying and Responding to Fraud**

As Trustee we believe adequate controls are in place to reduce the risk of fraud, however should fraudulent activity be identified, the Trustee would ensure all Trustees are aware of the situation and the Fund accountant and you as the auditor would be informed.

Depending on the situation, steps would be implemented to cease the fraudulent activity and further controls would be put in place to limit any future activity from affecting the Fund.

#### **6. Existence of Fraud**

We confirm we have no knowledge of any actual, suspected or alleged fraud affecting the Fund.

#### **7. Internal Controls Relevant to SISA and SISR Compliance**

We acknowledge we are familiar with the Superannuation Industry (Supervision) Act 1993 ("SISA") and Superannuation Industry (Supervision) Regulations 1994 ("SISR") provisions the Fund must comply with, and that are the subject of your audit.

Whilst contraventions may occur, we endeavour to remain up to date on the legislative requirements applicable to our Fund, and implement, where possible, internal controls to promote compliance.

#### **8. Going Concern Assessment**

The Trustee believes there are no events or conditions that exist that may cast significant doubt on the Fund's ability to continue as a going concern.

Even if the Trustee is contemplating, or moving to wind up the Fund, the Trustee believes the going concern basis is appropriate because the Fund would continue to operate on the basis that assets could be realised and liabilities discharged in the ordinary course of business.

#### **9. Representations and Information from Third Parties**

We acknowledge that where documentation and other information is provided by our accountant pertaining to have Fund audit, you can rely on the information provided. We further acknowledge and consent to you liaising with our accountant to obtain additional information or to have Fund specific queries answered. We note you can rely on the information provided by our accountant in relation to your audit queries.

## **AUDIT**

In connection with your examination of the special purpose financial report of the HKM Superannuation Fund as at 30 June, 2023, we acknowledge our responsibility for ensuring the financial report is prepared in accordance with the accounting standards detailed in Note 1 to the financial statements. We confirm we have fulfilled our responsibility for the preparation of the financial report in accordance with the relevant financial reporting framework, the statutory reporting requirements to the Fund, and confirm that the financial report is free of material misstatement, including omissions, and that we have approved the financial report, as evidenced by our signature on the Trustee declaration attached to the financial report.

The following representations are true to the best of our knowledge and belief:

**1. Sole Purpose**

The sole purpose of the Fund is to provide superannuation benefits for members' retirement.

**2. Accounting Policies**

All the significant accounting policies of the Fund are adequately described in Note 1 to the financial statements and are consistent with the policies adopted last year, unless otherwise detailed in the notes to the financial statements.

**3. Fund Books/Records/Minutes**

As agreed in the terms of the audit engagement, all financial books, records and related data have been made available to you, including relevant minutes of the Trustee meetings and this information has been retained in the appropriate format for the required period of time.

We confirm all transactions have been recorded and are reflected in the financial report.

With the exception of any data collated with regard to accounting estimates, no experts have been engaged in the preparation of documentation for your audit.

**4. Asset Form**

The assets of the Fund are being held in a form suitable for the benefit of the member(s) of the Fund.

**5. Ownership and Pledging of Assets**

- a) The Fund has satisfactory title to all assets disclosed in the statement of financial position;
- b) No assets of the Fund have been pledged to secure liabilities of the Fund (unless the charge is permitted by the legislation) or of others; and

- c) The assets of the Fund have been kept separately from the assets of the Trustee, the employer sponsor or any associates of the employer sponsor.

## **6. Custodian Services**

Where the fund engages the services of a custodian, we note:

- a) Notwithstanding the custodian is engaged to assist with the holding, safeguarding and administration of certain Fund assets, we are responsible for the investment decisions and to ensure the Fund's investment strategy is complied with;
- b) We are responsible for establishing the terms under which the custodian is engaged;
- c) Investments and other reports are received at least quarterly, or more often as required;
- d) The nature of the relationship between the Fund and the custodian engaged is consistent with the general terms of contracts of this nature.

It is noted that it is our responsibility to establish the terms under which the custodian is engaged and to ensure the investments held by the custodian are in accordance with the fund's investment strategy.

In instances where the Fund uses a custodian, we confirm we have not been advised of any fraud, non-compliance with the laws and regulations or uncorrected misstatements that would affect the financial report of the Fund.

## **7. Investments**

- a) Investments as at year end are carried in the books at market value. If an accounting estimate is used to determine the value to be reported, the Trustee confirms a value was selected (based on the evidence collated) that most accurately reflects the market value of the asset. Save for the impact of events subsequent to year end, such amounts are considered reasonable in the light of present circumstances;
- b) There are no commitments, fixed or contingent, for the purchase or sale of long-term investments that have not otherwise been disclosed in the financial report;
- c) The investment strategy, after taking into account the whole of the circumstances of the Fund, has been determined with due regard to risk, return, liquidity and diversification. This is so even where investments chosen may be considered risky, may have negative, may be illiquid and may not equate to a diversified portfolio;
- d) In the event the Fund does not have a diversified portfolio, the Trustee confirms the risks associated with a lack of diversification were considered prior to making and maintaining investments;
- e) The investments held by the trustee are considered appropriate to meet the needs of the Fund member(s);
- f) Every effort has been made to ensure investments are acquired, maintained and disposed of on an arm's length basis;
- g) The investment policy and strategy is checked by the Trustees every time an investment is either purchased or sold to ensure strict compliance;

- h) Loans were made to a member and are advised to you by separate notification (the ATO has been advised) and the Fund is not permitted to make loans or investments in the Trustee; and
- i) Assets are not acquired from a member unless permitted by the law or the regulations.

## **8. Accounting Estimates**

We note accounting estimates may be needed where the Fund invests in property, unlisted investments, collectable or other tangible assets, or where the Fund transacts with related parties.

With regard to the use of any accounting estimates, we confirm we oversee the collation of information needed to evidence the estimate(s) set. We acknowledge that any specialised skill needed with regards to accounting estimates determining conjunction with any requests by you as the auditor of the 54 this process assists in the selection of assumptions to be made, methods to be applied and sources of data to be used to determine the accounting estimate.

We do not have a formal process to identify or address the risks relating to accounting estimates. Estimates undertaken for the purpose of compliance with SISA section 109 or SISR regulation 8.02B are supported by appropriate documentation, copies of which have been supplied for audit review.

We acknowledge and understand there is a degree of estimation uncertainty. We do not believe the level of estimation uncertainty needs separate disclosure in the financial report. We confirm the methods, assumptions and data used in the making of any accounting estimates are appropriate for the preparation and presentation of the special purpose financial report.

## **9. Trust Deed**

The Fund is being conducted in accordance with its Trust Deed and Governing rules, and you have been provided with copies of any updates to the governing rules made during the financial year. All amendments (if any) to that Trust Deed were made in order for the Fund to comply with the SISA, SISR and any other applicable legislation relating to the operation and governance of the Fund.

## **10. Legal and Regulatory Framework**

Unless otherwise identified during your audit, the Fund is in compliance with the requirements of the relevant Income Tax Assessment Act. The Fund is being conducted in accordance with the SISA and SISR (with the exception of any contraventions as identified by you as the auditor) and we specifically confirm:

- a) We have provided you with all information relevant to the compliance engagement;
- b) The directors of the corporate Trustee have been nominated, have consented to act and may only be removed in such manner and circumstances as are allowed in the governing rules;
- c) No director of the corporate Trustee is a disqualified person;
- d) The Trustee has applied with the investment standards set out in SISA:

- e) Information retention obligations have been complied with;
- f) The Trustee has not entered into any contract or done anything else that would prevent it from properly performing or exercising its functions and powers;
- g) The Trustee is a constitutional corporation and the F has lodged an election to be regulated by the ATO;
- h) No Trustee has received any remuneration from the Fund.
- i) The Trustee has complied with all the Trustee covenants set out in section 52 of SISA.

We acknowledge we are responsible for complying with the Listed Provisions (per the audit engagement letter), including the identification of risks that might threaten Fund compliance. We are responsible for designing and maintaining internal controls to mitigate these risks, including the risk of fraud in the hope that these risks do not hamper the Fund's ability to comply with the Listed Provisions.

All known instances of non-compliance or suspected non-compliance with the applicable laws and regulations, whose effects should be considered when preparing the financial report, or that impact your obligation to report certain matters to the Australian Taxation Office have been disclosed to you.

We confirm the Fund has complied with the provisions of any laws and regulations that may have a direct effect on the determination of material amounts and disclosures in the financial report, other than those you have been advised.

The information disclosed in the annual return is complete and accurate.

## **11. Internal Controls**

We acknowledge our responsibility for the design, implementation and maintenance of internal controls to prevent and detect fraud. We do not have an internal audit function, however, we have established and maintained an adequate internal control structure to facilitate the preparation of a reliable financial report and to ensure that the assets of the Fund are safeguarded from fraud or error. We have assessed the risk that the financial report may be materially misstated as a result of fraud and advise that we have no knowledge of any actual, suspected or alleged fraud affecting the Fund. There have been no irregularities that could allude to a fraud affecting the Fund.

We confirm we have not received any communication parties connected to the Fund relating to any allegations of, or suspected cases of, fraud, that might affect the financial report for the Fund.

There are no specific risks arising from the information technology utilised by the Fund that require attention by the Trustee.

To monitor internal controls over financial reporting, we review all reports provided by the information technology systems utilised by the Fund for accuracy. This assists in determining if the information is sufficiently reliable for financial report.

## **12. Contributions**

Concessional and non-concessional contributions, if any, received by the Fund have been reviewed in line with the limits imposed by the legislation, taking into account contributions paid to other superannuation funds.

Correspondence from the member(s) has been received and recorded by the Trustees for all contributions from the member(s).

To the best of our knowledge, non-concessional contributions received are in line with member specific contribution caps.

Any excessive contributions will be dealt with as required by either the legislation or as advised by the ATO.

### **13. Member Balances**

Information relating to the transactions and activities of the Fund has been supplied in a timely manner to members.

All assets of the Fund have been acquired and used for the sole purpose of generating retirement benefits in accordance with SISA, the Trust Deed of the Fund and the Investment Strategy of the Fund.

All pension payments (if any) and all withdrawal of funds from the accounts of the Fund have been made in accordance with statutory limitations imposed by the legislation governing the Fund and all withdrawals of funds have been accordance with SISA.

### **14. Legal Matters**

The Trustees confirm you have been advised of all significant legal matters, and that all known actual or possible litigation and claims have been adequately accounted for, and been appropriately disclosed in the financial report.

Any minutes of meetings with the Fund's legal counsel have been provided for audit review.

### **15. Related Parties**

All related parties and related party transactions (if any) have been brought to your attention, and have been appropriately accounted for. We confirm the effect of any related party relationships or transactions do not cause the financial report to be misleading.

### **16. Capital subsequent Events**

The Trustee has no formal procedures for the identification of subsequent events, however, we monitor investments and markets information relevant to the Fund on an ongoing basis.

Other than those reported, there are no events subsequent to year end, nor any new litigation or claims referred to the Fund's legal counsel, that would require adjustment to, or disclosure in, the financial report.

We further note that there are no subsequent events that could have significant effect on the Fund's compliance and therefore on your opinion for the compliance engagement.

### **17. Going Concern Assumption**

We confirm we have no knowledge of any events or conditions that would cast significant doubt on the Fund's ability to continue as a going concern except the matter of loan to a member as advised to the ATO.

**18. Timing of Representations**

It is taken that the above representations are applicable to the 2023 audit of the Fund. Should this representation letter be signed on a date other than when the audit report is signed, we note that the above representations are still appropriate, relevant and accurate to the date on which your audit report is signed should this not be the case, we shall inform you prior to the finalisation of your audit, and the signing of your audit report.

Yours faithfully,

HKM Super Pty Ltd

  
Sign >>

Harish Mantri

  
Sign >>  
Kamna Mantri

**Memorandum Of A Resolution Of Directors Of HKM Super Pty Ltd as Corporate Trustee of HKM Superannuation Fund**

---

**Trustees Statement** It was resolved that, in the opinion of the trustees, the Fund has complied with all ATO regulations and that that a statement to this effect be signed by one director on behalf of the trustees and attached to the ATO return

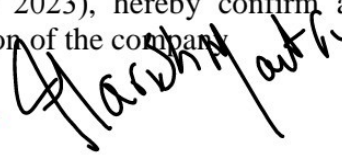
**Trustees Declaration** A draft 2023 trustees' declaration was received. It was resolved that the declaration be approved, signed by one director on behalf of the trustees and attached to the accounts.

**Auditors Report** The draft 2023 Auditors' report was received. It was noted that the Auditors' report would be signed and included in the accounts.


**Financial Accounts** A draft 2023 financial report was received. It was resolved to approve the accounts and to distribute them to members

**Trustee Consent** It was resolved that the company will continue to act as Trustee to the Fund and that a letter confirming this should be sent to the Fund.

All directors of HKM Super Pty Ltd at this date (20 October 2023), hereby confirm and adopt the above resolution of the company

Sign >> 

Harish Mantri

Sign >> 

Kamna Mantri