

## **INSTRUCTIONS FOR THE COMPLETION OF YOUR DOCUMENTS**

### **Kirkwood Family Superannuation Fund**

#### **Execution of Documents**

Please have the relevant parties carefully check the details and execute the documents as indicated. Witnesses to any signatures must be independent - i.e. they must not be a party to the document.

#### **Trustees' Declaration**

Each individual trustee (or director of a corporate trustee) must sign a Trustees' Declaration in the form approved and published by the ATO and this form is to be kept for 10 years following their appointment. These forms may be downloaded via the ATO's website at [www.ato.gov.au](http://www.ato.gov.au).

#### **Stamp Duties**

You may be required to forward the amending deeds to the appropriate body in your State or Territory for assessment of applicable stamp duties. Refer to the enclosed Duties Schedule for further information.

Please contact our office should you have any queries or require any assistance.

Yours faithfully,

**INITIATIVE**  
Group

## **Important Note**

We do not provide advice in relation to any stamp duty or other state or territory taxes in relation to the enclosed documents nor in respect of any other matter. Please note that taxation, the Corporations Act, trust laws, contract laws and stamp duty laws in various jurisdictions are continually changing. Professional advice should be obtained before signing these documents. Significant fees, duties and penalties can be imposed when dealing with trust deeds. Accordingly, except to the extent required by law, we do not accept any responsibility other than in relation to the provision of these documents in accordance with your instructions. We do not purport to give advice in relation to the enclosed documents nor should you construe anything in the enclosed documents or any conversation or correspondence as advice of any kind.

## Duties Schedule

### Self Managed Superannuation Funds

The table below is provided for general guidance only. It is not intended, nor should it be treated as legal advice regarding the imposition or liability to stamp duty of any document or transaction. If in doubt, you should contact your local stamping authority.

State/ Territory	Contact	Trust Deed	Change of Trustee	Other changes
QLD	Ph 1300 300 734 Office of State Revenue www.osr.qld.gov.au	✗	✓ \$NIL	✗
NSW	Ph 1300 139 814 Office of State Revenue www.osr.nsw.gov.au	✗	✓ \$50	✗
VIC	Ph 13 21 61 State Revenue Office www.sro.vic.gov.au	✗	✗	✗
ACT	Ph (02) 6207 0028 The ACT Revenue Office www.revenue.act.gov.au	✗	✓ \$20	✗
TAS	Ph (03) 6166 4400 State Revenue Office www.sro.tas.gov.au	✗	✗	✗
SA	Ph (08) 8226 3750 State Taxation Office www.revenuesa.sa.gov.au	✗	May require lodgement for assessment	✗
WA	Ph (08) 9262 1400 State Revenue Office www.finance.wa.gov.au/staterevenue	✗	✓ \$20	✗
NT	Ph 1300 305 353 Territory Revenue Office www.treasury.nt.gov.au	✓ \$20	May require lodgement for assessment	✗

#### Notes:

1. The column relating to the establishment of new trusts, relates only to the creation of trusts of non-dutiable and/or unidentified property.
2. The ability to access a duty exemption in most states requires certain conditions to be satisfied or the local state revenue office being satisfied as to the extent or nature of the transaction. Where a change of trustee is exempt from duty the relevant documents may be required to be lodged for assessment in any event to ensure revenue integrity.
3. Amendments which alter beneficial ownership may not be exempt in all circumstances.

# Trustee/s Resolution

## Kirkwood Family Superannuation Fund

The persons signing below being all of the Trustees or all of the directors of the corporate Trustee of the Fund resolve as follows:

**Resolved**

The trust deed and rules of the Fund require amendment in order to better comply with the Superannuation Industry (Supervision) Act 1993 and regulations passed under it.

**Resolved**

To consider a Deed of Amendment (the "Deed") for the purpose of amending the Trust Deed for the Fund, by deleting the current Governing Rules and inserting the new Governing Rules contained in Rule 1 to Schedule 2 inclusive, which are annexed to the Deed.

**Resolved**

The amendment of the Trust Deed would be for the benefit of the members of the Fund and would enable the Fund to better comply with the current legislative provisions applying to regulated superannuation funds.

**Resolved**

To adopt the new Governing Rules as the governing rules for the Fund.

**Resolved**

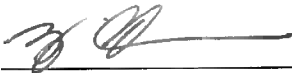
To execute the Deed and do all things required under it.

**Signature:**



Paul Edmund Kirkwood

Dated 1/12/20



Fiona Kirkwood

Dated 1/12/20

**Member/s Resolution**  
**Kirkwood Family Superannuation Fund**

The persons named below being all of the Members of the Fund resolve as follows:

**Resolved**

The trust deed and rules of the Fund require amendment in order to better comply with the Superannuation Industry (Supervision) Act 1993 and regulations passed under it.

**Resolved**

To consider a Deed of Amendment (the "Deed") for the purpose of amending the Trust Deed for the Fund, by deleting the current Governing Rules and inserting the new Governing Rules contained in Rule 1 to Schedule 2 inclusive, which are annexed to the Deed.

**Resolved**

The amendment of the Trust Deed would be for the benefit of the members of the Fund and would enable the Fund to better comply with the current legislative provisions applying to regulated superannuation funds.

**Resolved**

To adopt the new Governing Rules as the governing rules for the Fund.

**Resolved**

To execute the Deed and do all things required under it.

**Signature:**



Fiona Kirkwood

Dated 1 / 12 / 2



Paul Edmund Kirkwood

Dated 1 / 12 / 29

## Notice to Members

### Kirkwood Family Superannuation Fund

From 1 July 1994, the Superannuation Industry (Supervision) Act 1993 and Regulations have governed the operation of superannuation funds in Australia. This scheme has been substantially amended during this time and is further amended from time to time. In order that the Fund's trust deed and governing rules better reflect the current provisions of the Act and Regulations, the Trustee has decided to amend the Fund's trust deed.

Dated:

1 12 20

Signature:



PAUL KIRKWOOD

For and on behalf of the Trustee