

**Written Resolution of Joseph Morgante Pty  
Ltd ABN # 76 002 490 824 as trustee for the  
*Joromada Pty Ltd Staff Superannuation  
Fund***

**Section A**

**Matter - Admission of Member Joseph Morgante  
("the Applicant")**

**Section B**

**Background**

The Applicant has requested to be admitted as a member of the Superannuation Fund.

Noted that before the Applicant can be admitted as a member it is necessary to ensure that:

- (a) the Applicant is eligible to participate in the trusteeship of the Superannuation Fund by being appointed as a director of the Company;
- (b) that the admission of the Applicant will not cause the membership of the Superannuation Fund to exceed 4 (being the maximum number of members which a self managed superannuation fund can have);

- (c) that the Applicant (if admitted as a member) must be appointed as a director of the Company;
- (d) the Applicant must consent in writing to being appointed as a director of the Company;
- (e) the Applicant has had access to a Product Disclosure Statement in respect of the Superannuation Fund

## **Section C**

### **Supporting Documents**

#### **Application Section**

##### ***Application to be Admitted as a member***

I hereby apply to be admitted as a member of the Superannuation Fund. I agree to be bound by the Governing Rules of the Superannuation Fund as they from time to time be amended or replaced.

I confirm that I have either received a copy of a Product Disclosure Statement in respect of the Superannuation Fund or that I have access to a Product Disclosure Statement in respect of the Superannuation Fund.

#### **Consent & Disclosures Section**

##### ***Consent, Disclosures and Undertakings by Applicant***

I understand that the Superannuation Fund is both a regulated superannuation fund and also a self managed superannuation fund and that if my application to become a member is accepted then I will have to be appointed as a director of the company which acts as trustee of the Fund.

I hereby consent to being appointed a director of the company which acts as trustee of the Superannuation Fund.

I wish to confirm, as at the date of this declaration, that in relation to myself:

- (a) I have attained the age of 18 years;
- (b) no notice of disqualification has been made in respect of any of me pursuant to s120A of the *Superannuation Industry (Supervision) Act, 1993*;
- (c) I am not an insolvent under administration;

- (d) no civil penalty order under the *Superannuation Industry (Supervision) Act, 1993* has been made against any me;
- (e) I have not been convicted (whether in Australia or elsewhere) of any offence involving dishonest conduct; and
- (f) I am not disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* or I am currently disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* however I have been granted permission by ASIC under s206F(5) of that Act or, alternatively, I have been granted permission by a Court under s206G(3) of that Act, to be involved in the management of the Company; and
- (g) I am an Australian resident for taxation purposes

I understand that should any of the matters listed in paragraphs (b) to (e) subsequently apply to me or should the permissions referred to in paragraph (f) cease to apply to me or if I become disqualified from managing a corporation, that I will cease to be eligible to act as a director of a company which acts as trustee of a superannuation fund regulated under the *Superannuation Industry (Supervision) Act 1993* and that I will immediately advise my fellow directors and that I will, as and when required by my fellow directors, resign as a director.

I understand that should I cease to be an Australian resident for taxation purposes, the Superannuation Fund may not accept contributions, rollovers and transfers by or in respect of me and that my membership of the Superannuation Fund may terminate.

#### **TFN Authorisations**

##### ***Tax File Number – Authorisations***

I understand that there is no legal obligation to provide to the Company my Tax File Number ("TFN") but I am aware that there may be adverse consequences by not providing my TFN.

I authorise the Trustee to use my TFN in the manner set out below.

##### ***Statutory Basis for requesting your TFN***

The Company as Trustee of the Superannuation Fund is authorised under the *Superannuation Industry (Supervision) Act, 1993* to request and collect TFNs of members and prospective members of the Superannuation Fund.

##### ***Uses to which TFN will be put***

If a member or prospective member provides their TFN, the Company as Trustee is only permitted to use the TFN for lawful purposes including:

- (a) identifying the members/prospective members superannuation benefits where other information is not sufficient;

- (b) calculating tax due on any ETP payable to the member/prospective member;
- (c) providing the TFN to the Commissioner of Taxation for the purpose of assessing any tax on any ETP payable to the member/prospective member and for assessing any surcharge payable on superannuation contributions and other amounts made by or for the member/prospective member); and
- (d) providing the TFN to the Commissioner of Taxation for the purpose of determining an entitlement of members to a Government Co-Contribution under the *Superannuation (Government Co-Contribution for Low Income Earners) Act 2003*

The lawful purposes to which TFNs are used may, because of legislative changes, alter in the future.

*No obligation to provide TFN*

A member/prospective member is under no legal obligation to provide their TFN. Consequently, by not providing their TFN, a member/prospective member will have committed no offence.

*Consequences of not providing TFN*

If a member/prospective member does not provide their TFN then the following may happen:

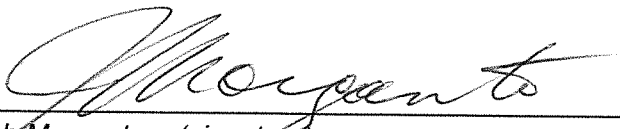
- (a) more tax than is otherwise due may be withheld from benefits paid to you from the Fund;
- (b) superannuation surcharge or a greater amount of surcharge may be payable in respect of surchargeable contributions of members than would otherwise be the case;
- (c) it may be more difficult to locate, identify and consolidate superannuation benefits in other funds; and
- (d) an entitlement to a Government Co-Contribution may not be payable.

The consequences of not providing TFNs may, because of legislative changes, alter in the future.

*Providing TFN to other Superannuation bodies*

The Company as Trustee may provide your TFN to the trustee of another superannuation fund or to a Retirement Savings Account provider where that trustee or provider is to receive from the Superannuation Fund any of the transferred/rolled over benefits of a member or prospective member. However, a TFN will not be provided to another superannuation body if the member/prospective member instructs the Company as Trustee not to provide their TFN.

The Company as Trustee may provide your TFN to the Commissioner of Taxation.

  
\_\_\_\_\_  
Joseph Morgante (signature)

(By signing you are confirming the accuracy of the information set out above and agreeing to the understandings and authorisations)

## Section D

### Resolutions

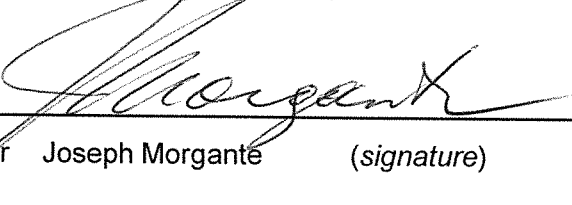
Resolved that the Applicant be admitted as a Member of the Superannuation Fund

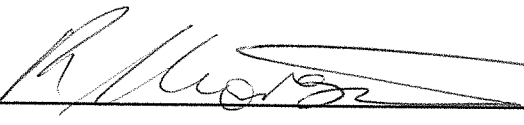
Resolved that the Applicant be appointed as a Director of the Company.

## Section E

### Signature Block

Each director must sign and date;

  
\_\_\_\_\_  
Director Joseph Morgante (signature) 5.8.09 (date)

  
\_\_\_\_\_  
Director Rose Maria Morgante (signature) 5.8.09 (date)

(Note: The Applicant does not sign this section)  
The resolution will be effective from the date on which the last director to sign has signed)

## **Section F**

### **Subsequent Actions**

#### *Notification to ATO of change*

1. Since a new member/director of the Company has been appointed, the ATO must be notified. A "Change of details for Superannuation Entities" form (ATO reference NAT 3036) must be completed and submitted. This form can only be signed by the person who is notified to the ATO as the "authorised contact" for the Fund. To complete the form you will need the following information:

- (a) TFN or ABN of the Superannuation Fund;
- (b) the Superannuation Fund's name as it has been recorded for ABN purposes;
- (c) the date on which the change is effective; and
- (d) the date of birth, sex, full name and TFN of the new member.

#### *Confirmation of Appointment*

2. As the new member has been appointed a director of the Company by resolution of the Board of Directors of the Company, the appointment must be confirmed by a resolution of the Members of the Company within 2 months (if the Company is a proprietary company) or at the next AGM (if the Company is a public company), otherwise the new member will cease to be a director the Company at the end of that period or at the end of the next AGM (as appropriate).

The requirement to confirm the appointment is a replaceable rule and the constitution of the Company may provide that confirmation is not required. You must check the constitution of the Company.

#### *Notification to ASIC of appointment of Director*

- 3.....ASIC must be notified of the appointment of the applicant as a director within 28 days. Notification is by lodging a Form 484 or by electronically lodging Form 484. No lodgement fee applies if lodged within time. Late lodgement fees will apply of \$65 (if up to 1 month late) and \$270 (if more than 1 month late).

## **Written Resolution of Joseph Morgante Pty Ltd ABN # 76 002 490 824 as trustee for the *Joromada Pty Ltd Staff Superannuation Fund***

### **Section A**

#### **Matter - Admission of Member Rose Maria Morgante ("the Applicant")**

### **Section B**

#### **Background**

The Applicant has requested to be admitted as a member of the Superannuation Fund.

Noted that before the Applicant can be admitted as a member it is necessary to ensure that:

- (a) the Applicant is eligible to participate in the trusteeship of the Superannuation Fund by being appointed as a director of the Company;
- (b) that the admission of the Applicant will not cause the membership of the Superannuation Fund to exceed 4 (being the maximum number of members which a self managed superannuation fund can have);

- (c) that the Applicant (if admitted as a member) must be appointed as a director of the Company;
- (d) the Applicant must consent in writing to being appointed as a director of the Company;
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- (e) I have not been convicted (whether in Australia or elsewhere) of any offence involving dishonest conduct; and
- (f) I am not disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* or I am currently disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001* however I have been granted permission by ASIC under s206F(5) of that Act or, alternatively, I have been granted permission by a Court under s206G(3) of that Act, to be involved in the management of the Company; and
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The Company as Trustee may provide your TFN to the Commissioner of Taxation.



Rose Maria Morgante (signature)

(By signing you are confirming the accuracy of the information set out above and agreeing to the understandings and authorisations)

## Section D

### Resolutions

Resolved that the Applicant be admitted as a Member of the Superannuation Fund

Resolved that the Applicant be appointed as a Director of the Company.

## Section E

### Signature Block

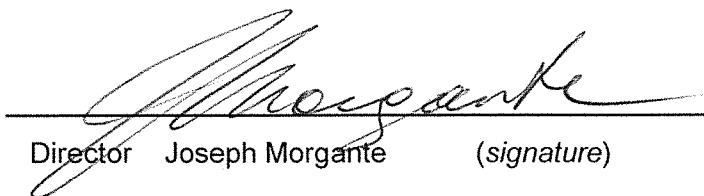
Each director must sign and date;



Director Rose Maria Morgante (signature)

5-8-09

(date)



Director Joseph Morgante (signature)

5-8-09

(date)

(Note: The Applicant does not sign this section)

The resolution will be effective from the date on which the last director to sign has signed)

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