

DATED:

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BETWEEN:

RONALD WILLIAM TAPP and  
VALERIE JOY TAPP  
("the Trustee")

AND

RONALD TAPP PTY LTD  
("the Employer")

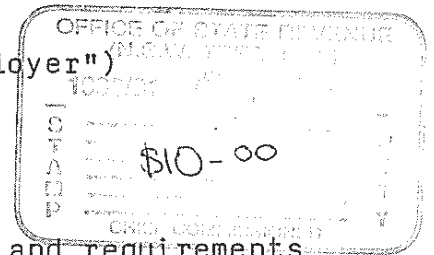
DEED OF VARIATION

TRISLEY & KILMURRAY  
SOLICITORS  
484 HUNTER STREET  
NEWCASTLE 2300  
DX 7842  
TELEPHONE 26 2433

THIS DEED made the 12<sup>th</sup> day of May, 1990

BETWEEN (i) RONALD WILLIAM TAPP and VALERIE JOY TAPP  
("the Trustee")

(ii) RONALD TAPP PTY LIMITED  
("the Employer")



WHEREIN:

- (i) "Relevant Standards" mean the standards and requirements imposed under any law or by any Relevant Authority which must be satisfied by a superannuation fund or an approved deposit fund as the case may be in order to qualify for income tax concessions.
- (ii) "Relevant Authority" means as the case may require, any one or more of the Insurance and Superannuation Commissioner, the Commissioner of Taxation or any other governmental authority responsible for administering the laws, regulations or any other rules governing the operation or the availability of income tax concessions to superannuation funds and approved deposit funds.

WHEREAS:

- (i) The Trustee is the trustee and the Employer is the employer in the Ronald Tapp Pty Ltd Executive Retirement Plan established by Deed dated the 7th day of June 1977 ("The Trust Deed").
- (ii) By the Trust Deed the Trustee thereof with the consent of the Employer is empowered from time to time to amend the provisions of the Trust Deed.

NOW THIS DEED WITNESSETH in pursuance of the premises and with the consent of the Employer (testified by its execution thereof) the Trustee in exercise of the power conferred it by Trust Deed and of every other power in this behalf enabling it hereby varies and amends the Trust Deed in the manner set forth in the Schedule thereof.

IN WITNESS whereof the parties hereto have hereunto set their hands and affixed their seals on the day and year first hereinbefore written.

#### SCHEDULE

- 1 That the requirements contained in the standards prescribed by the Occupational Superannuation Standards Act and the Regulations made thereunder, or any amending or replacement Act or Regulations (the Relevant Requirements), shall be deemed to be incorporated in this Trust Deed and where there is any inconsistency between a provision in the Trust Deed and a Relevant Requirement, the later shall prevail over the former.

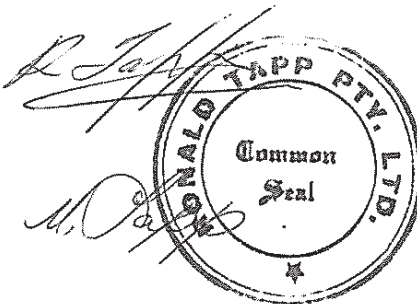
SIGNED SEALED AND DELIVERED  
by the TRUSTEE in the  
presence of:

)  
)  
)

*Per 7* ✓  
*VJ 7* ✓

THE COMMON SEAL of  
THE EMPLOYER was hereunto  
affixed in accordance with  
its Articles of Association  
in the presence of:

)  
)  
)  
)  
)



9800A

*Per 7* ✓