



COOPER GRACE WARD

LAWYERS

Our Ref: CJJ:SHB 10069972
Your Ref:

27 October 2009

PRIVATE & CONFIDENTIAL

Stuart Jensen
PO Box 426
HAMILTON CENTRAL QLD 4007

Dear Stuart

Binding Nominations

Thank you for asking us to prepare Binding Nominations for your Superannuation Fund.

We **enclose** the Binding Nominations for both yourself and Margaret for your balance in Roof & Building Service (Qld) Pty Ltd Superannuation Fund.

The Binding Nominations provide that your superannuation is paid to each other first and after the death of you both, your superannuation is to be paid to your estate where it will be dealt with in accordance with your Wills.

When you sign the Binding Nominations, your signature must be witnessed by two people over 18 years and are not beneficiaries.

We prepared a Deed of Variation in March 2008 for your Superannuation Fund. Provided you have signed those documents, the deed is up to date and allows for Binding Nominations. Therefore we would not need to update the document.

We also **enclose** our account for the preparation of the Binding Nominations.

Please contact Scott Hay-Bartlem if you have any queries.

Yours faithfully
COOPER GRACE WARD


Scott Hay-Bartlem
Partner

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CJJ10069972 2698608v1





COOPER GRACE WARD

LAWYERS

TAX INVOICE

Stuart Jensen
PO Box 426
HAMILTON CENTRAL QLD 4007

Date: 9-Nov-2009
Invoice No: 402949
Our Ref: SHB:SHB 10069972
Client Ref: 00052578

Date Due: 23-Nov-2009

Roof & Building Service (Qld) Pty Ltd Superannuation Fund

For legal services

Preparation of Binding Nominations

FEES	\$300.00
GST	\$30.00
TOTAL	<u>\$330.00</u>
AMOUNT DUE	<u>\$330.00</u> ✓

*Paid 12/11/09 DR SWG a/c 510977.
Ref: 6190606*

If you wish to dispute this bill, you may be able to apply for a cost assessment under Division 7 of the Legal Profession Act 2007 (Qld), or to have our costs agreement set aside under s 328 of that Act. You may apply for a Division 7 cost assessment within 12 months of receiving this bill. You may apply to have our costs agreement set aside within six years or such other time limit as the law permits.



Payment Slip

Thank you for your instructions. A receipt will not be forwarded unless requested.

Payment Details

Invoice No: 402949
Debtor No: 00052578
Matter: SHB
10069972

Amount Due: \$330.00

Date Due: 23-Nov-2009

Accepted Payment Methods



Credit Card

We accept visa and mastercard.
Phone (61-7) 3231 2444.



Cash & EFTPOS



Cheque

Payable to Cooper Grace Ward
Lawyers.
Please **detach and return** this
portion with your cheque to
**GPO Box 834, Brisbane 4001,
Australia.**



Direct Deposit

BSB 034 003 A/No. 271 653
Ref No 402949
A/Name Cooper Grace Ward



Bill Code: 36541 ✓
Ref: 402949 ✓

Telephone & Internet Banking - BPAY
Call your bank, credit union or building
society to make this payment from your
cheque, savings or credit card account.
More Info: www.bpay.com.au

ABN 95 591 906 639

GPO Box 834, Brisbane 4001 Level 21, 400 George St, Brisbane 4000 Australia DX 256, Brisbane

T 61 7 3231 2444 F 61 7 3221 4356 www.cgw.com.au

**BINDING NOMINATION OF DEPENDANTS
CONFIDENTIAL**

TO: THE TRUSTEE
ROOF & BUILDING SERVICE (QLD) PTY LTD SUPERANNUATION FUND

MEMBER DETAILS

Name: STUART WILLIAM JENSEN
Address: 18 Bernecker Street, Carina Qld
Date of Birth: 3/07/1939



BINDING NOMINATION

I wish this nomination of dependants to be binding upon the Trustee of the Fund. This nomination of dependants does not lapse until I revoke it or give the trustee a new nomination of dependants and particularly does not lapse merely by the passing of time.

NOMINATED DEPENDANT(S)

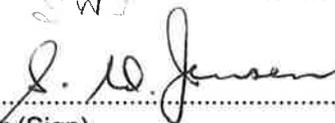
I nominate the following persons as my Nominated Dependand(s):

SURNAME(S)	GIVEN NAME(S)	RELATIONSHIP	DETAILS OF BENEFIT
JENSEN	Margaret	Spouse	All of the benefit payable on my death

My legal personal representative

If Margaret Jensen predeceases me, all of the benefit payable on my death to be dealt with in accordance with the terms of my Will

WE DECLARE THAT THIS BINDING NOMINATION was signed by **STUART WILLIAM JENSEN** on *12th November* 2009 in our joint presence and then by us in his presence:

) *SWJ*
) 
) _____
) Member (Sign)

Witness: *Erin M Falvey*
(Signature)
Full Name: *ERIN MARIKERN FALVEY*
(Print)
Address: *12/77 MARINE PDE*
REDCLIFFE, QLD 4020

Witness: *Natalie Whincop*
(Signature)
Full Name: *NATALIE WHINCOP*
(Print)
Address: *19 SAVANNAH STREET*
REDCLIFFE Q 4020

BINDING NOMINATIONS OF DEPENDANTS INFORMATION SHEET

The Trust Deed for Roof & Building Service (Qld) Pty Ltd Superannuation Fund permits a Member to make a binding nomination of dependants for the purposes of payment of a death benefit in relation to that Member.

The Trustee is required to provide you with information that the Trustee believes you need for the purpose of understanding your right to require the Trustee to provide the benefits in accordance with any nomination you make.

Trustee must comply with valid binding nomination

If you have not made a binding nomination, the trustee has wide discretion as to whom your benefits are paid, including your spouse, children and anyone who is financially dependant upon you (your dependants).

If you make a valid binding nomination of dependants, the Trustee is required to pay a benefit arising on your death in accordance with that binding nomination.

The Trustee does not have any discretion in paying the benefit, **regardless of the taxation or any other consequences of paying the benefit to the persons and in the proportions specified in your binding nomination, and even if your circumstances have changed.** This means the Trustee has no discretion to determine what the most appropriate allocation of benefits given all of the circumstances when you die (including the age and tax situation of the potential beneficiaries of your death benefit).

The taxation consequences of a binding nomination can be serious, and you should consult your taxation advisors before making a binding nomination.

Formal requirements

For your binding nomination to be valid it must be:

- in writing;
- signed and dated by you;
- state that the nomination is binding on the Trustee;
- in favour of people who are your dependants or the executors under your Will;
- clearly state the proportion of the benefit to be paid to each of the dependants you have nominated;
- signed in the presence of two (2) witnesses who are **18 years or over** and **who are not mentioned in the binding nomination**; and
- must contain a declaration signed, and dated, by the witnesses stating that the binding nomination was signed by you in their presence.

The binding nomination is effective unless you revoke or amend it. You can confirm, amend or revoke the binding nomination at any time.

Amendments or revocation of the binding nomination must be done in the same manner as the original binding nomination.

• **What if the nomination of dependants is not valid?**

If your nomination of dependants does not comply with the formal requirements set out above, or it has been revoked without being replaced prior to your death, the Trustee will not treat it as binding, and is not required to pay a death benefit in accordance with your nomination.

The Trustee will then pay any benefit payable on your death in accordance with the Trust Deed.

If you need more information to determine whether or not a binding nomination is appropriate in your circumstances, please contact your legal adviser.