

**S.J. & J.M. DIXON SUPERANNUATION FUND**

**DEED OF APPOINTMENT AND REMOVAL OF TRUSTEE**

THIS DEED OF APPOINTMENT AND REMOVAL is made on  
..... 28<sup>th</sup> FEBRUARY ..... 2016

**PARTIES:**

1. **STEPHEN JOHN DIXON and JANET MARGARET DIXON** both of 16 Seacrest Court, Cleveland, Queensland, 4163 ("the Retiring Trustees");
2. **KHARIS PTY LTD (ACN 125 969 351)** of 16 Seacrest Court, Cleveland, Queensland, 4163 ("the New Trustee");
3. **STEPHEN JOHN DIXON and JANET MARGARET DIXON** both of 16 Seacrest Court, Cleveland, Queensland, 4163 ("the Appointing Party").

**RECITALS:**

- A. By deed of trust made on 26 January 2003 ("the Deed") by the Retiring Trustees (formerly of P2, 179 Landsborough Avenue, Scarborough, Queensland), a fund known as the S.J.& J.M. Dixon Superannuation Fund ("the Fund") was established ("the Original Deed").
- B. The Appointing Party are the current members of the Fund, and wish to appoint the New Trustee in place of themselves as the Retiring Trustees.
- C. The New Trustee is not by virtue of the provisions of the Fund deed or by law precluded from assuming office as trustee of the Fund.
- D. The New Trustee will consent to act as trustee of the Fund by execution of this deed.
- E. This deed is not intended to affect the entitlements of the members of the Fund or cause a resettlement of the Fund.

**PROVISIONS:**

This Deed witnesses:

**1. Statement of New Trustee**

The New Trustee hereby consents to act as trustee of the Fund and further declares that to the best of its knowledge, the provisions of section

17A of the *Superannuation Industry (Supervision) Act 1993* (Cth) are complied with to ensure that the Fund remains complying and that the New Trustee is not a disqualified person.

**2. Appointment of New Trustee**

The Appointing Party (and to the extent necessary the Retiring Trustees) exercise the power under the deed to appoint the New Trustee to be the trustee of the Fund and the New Trustee declares acceptance of the appointment by execution of this deed.

**3. Removal of Removed Trustee**

The Retiring Trustees retire from the role of trustees of the Fund and to the extent necessary, the Appointing Party exercises the power under the deed to remove the Retiring Trustees as trustees of the Fund effective immediately after the appointment of the New Trustee.

**4. Covenant by New Trustee**

The New Trustee covenants, as from the execution of this deed, to be bound by, to observe and to administer the Fund powers, discretions and obligations conferred by the deed as if the New Trustee was named as the original trustee of the Fund.

**5. Transfer of Assets**

The Retiring Trustees agree to transfer all the assets of the Fund to the New Trustee with all practicable speed together with a statement of the assets and liabilities of the Fund provided that any legal title to which has been held by the Retiring Trustees as trustees of the Fund but which is not so transferred for any reason shall nonetheless be so held by the Retiring Trustees merely as bare trustees and nominee for the New Trustee upon the terms and conditions of the deed.

**6. Indemnity**

The New Trustee hereby agrees to the extent of the assets of the Fund in its hands from time to time, to indemnify the Retiring Trustees against all liabilities of the Retiring Trustees incurred in their capacity as trustees of

the Fund and in respect of which the Retiring Trustees are entitled by law to be indemnified.

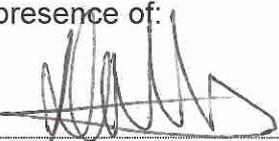
7. Date of Execution of Deed

The date of this deed is for all purposes deemed to be the date all parties executed this deed.

EXECUTED AS A DEED

Appointing Party

SIGNED SEALED AND DELIVERED by )  
STEPHEN JOHN DIXON in the )  
presence of: )

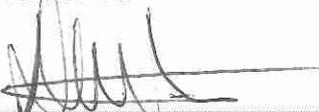
  
\_\_\_\_\_

Witness

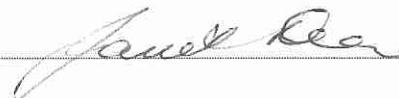
  
\_\_\_\_\_

Larah Margaret Stanish  
\_\_\_\_\_ Witness full name

SIGNED SEALED AND DELIVERED by )  
JANET MARGARET DIXON in the )  
presence of: )

  
\_\_\_\_\_

Witness

  
\_\_\_\_\_

Larah Margaret Stanish  
\_\_\_\_\_ Witness full name

**Retiring Trustees**

**SIGNED SEALED AND DELIVERED** by )  
**STEPHEN JOHN DIXON** in the )  
presence of )



Witness



Larah Margaret Stanish

Witness full name

**SIGNED SEALED AND DELIVERED** by )  
**JANET MARGARET DIXON** in the )  
presence of: )



Witness



Larah Margaret Stanish

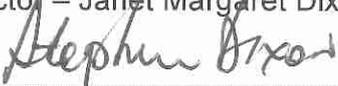
Witness full name

**New Trustee**

**EXECUTED BY KHARIS PTY LTD (ACN )**  
**125 969 351)** in accordance with the )  
Corporations Act: )



Director – Janet Margaret Dixon



Director/Secretary – Stephen John Dixon

DATED 28<sup>th</sup> February 2016

STEPHEN DIXON and JANET DIXON,  
("the Retiring Trustees");

KHARIS PTY LTD (ACN 125 969 351)  
("the New Trustee");

STEPHEN DIXON and JANET DIXON,  
("the Appointing Party").

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THE S.J. & J.M. DIXON  
SUPERANNUATION FUND  
DEED OF APPOINTMENT &  
REMOVAL OF TRUSTEE

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