

Minutes of Trustee Meeting
The Walker Family Super Fund ('the Fund')
Purpose of Meeting – Appointment of Trustee and
Establishment of the Fund

Held at: 3 Rigg Place, McDowall, QLD 4053

Date: 21/7/08

Date

**Present: Colin Russell Walker
Patricia Rose Walker**

Chairman: Colin Russell Walker was appointed Chairman of the meeting.

**Table of Motions
to appoint trustee
and make the
Fund operational:**

The Chairman tabled a motion to be appointed as trustees of the Fund, execute the Fund's trust deed and establish the operation of the Fund under the Fund's rules. In this regard the trustees are required to undertake the following steps:

1. Be appointed as trustees of the Fund;
2. Execute the fund's trust deed;
3. Endorse the product disclosure statement and provide to new or existing members of the Fund to assist them in understanding their benefits, rights and entitlements in the Fund;
4. Accept members into the Fund upon their being eligible and providing consent to become a trustee of the fund;
5. Apply to become a regulated superannuation fund;
6. Apply for an Australian Business Number and a Tax File Number for the Fund;
7. Establish a bank account for the Fund;
8. Formulate and implement an investment strategy for the Fund in accordance with section 52(2)(f) of the *Superannuation (Industry) Supervision Act 1993* ('SIS Act') as soon as practicable;

**Table of Motions
to appoint trustee
and make the
Fund operational,
cont.:**

9. Appoint an administrator to the Fund. The administrator's role is to provide information and reports as required under any administration agreement between the trustee and the administrator;
10. Appoint an auditor to the Fund. The superannuation laws provide that an approved auditor must be appointed on a yearly basis to provide an assessment of the Fund's compliance with the superannuation laws. The appointment must be in writing where required by the *SIS Act*;
11. Appoint a self managed superannuation fund (SMSF) specialist and any other professional - including an investment manager, valuer or actuary - to assist the trustee in their duties and responsibilities as trustee and at the same time being able to advise the members of the Fund on their benefits and entitlements in the Fund. Any such appointment must be made pursuant to the *SIS Act* and/or to the *Corporations Act 2001*;

**Trustee
Resolutions**

IT WAS RESOLVED by the trustees to:

- Execute the trust deed of the Fund;
- Ensure that the prospective members have read the product disclosure information;
- Appoint the following as trustees and accept them as members of the Fund provided all eligibility criteria has been satisfied unless a specific exemption under section 17A of the *SIS Act* applies;

1. **Colin Russell Walker**

2. **Patricia Rose Walker**

- Send to the members notification of their appointment as a trustee and acceptance as a member of the Fund;
 - Complete relevant regulatory forms including an ABN and TFN and lodge them with the Australian Taxation Office;
 - Establish a cash account and deposit funds in the account to be held in the name of the trustee with:
-

**Trustee
Resolutions cont:**

- Formulate and implement an investment strategy to:
 - a) aim at attaining the investment objective of the Fund from investments to satisfy the cash flow requirements of the Fund, having particular regard to the composition of the investment, diversification and liquidity;
 - b) ensure that the primary investment objective is to provide the member(s) with benefits in the event of their retirement and benefits to their dependants or legal estate in the event of the member's death.
- Seek consent to act and appoint relevant professionals including, where required, an administrator, auditor, SMSF specialist and SMSF investment expert.

Meeting Closed: There being no further business the meeting was declared closed.

Confirmed as a true and correct record.



Chairman

Date: 21 / 7 / 08

Appointment as Trustee of the The Walker Family Super Fund (‘the Fund’)

I, Colin Russell Walker

of 3 Rigg Place, McDowall, QLD 4053

HEREBY DECLARE THAT

1. I consent to act a trustee of the Fund.
2. I agree to be bound by the Fund’s trust deed, all of the rules contained within the governing rules of the Fund, the laws under the *Superannuation Industry (Supervision) Act 1993* (‘SIS Act’), the *Income Tax Assessment Act 1997*, the *Family Law Act 1975* (Part VIIIIB), the *Social Security Act 1991*, the relevant *State Trustee Act*, any successor acts and all regulations made for the purposes of the foregoing acts to ensure that:
 - a. The Fund elects to be a regulated superannuation fund under the *SIS Act*;
 - b. The Fund is continuously maintained as a self managed superannuation fund; and,
 - c. The Fund remains a continuously complying superannuation fund.
3. I am not a disqualified person as that term is defined under the rules of the Fund and pursuant to Part 15 of the *SIS Act*. A disqualified person includes:
 - a. A person found guilty of a dishonest conduct offence in Australia or elsewhere;
 - b. A person that is insolvent under administration pursuant to the *Bankruptcy Act 1966*;
 - c. A person disqualified by the Regulator, as that term is defined under the rules of the Fund, according to Section 120A of the *SIS Act*.

The appointment is to last only so long as the continuing appointment does not render the fund a non-complying self managed superannuation fund. Where the appointment jeopardises the fund’s complying status, I hereby agree to resign with effect immediately upon becoming advised by the trustee that my continuing appointment may result in the Fund becoming a non-complying self managed superannuation fund.

Signed by:



Colin Russell Walker

21. 7. 08

Date



Self managed super fund trustee declaration

I understand that as an individual trustee or director of the corporate trustee of

Fund name

THE WALKER FAMILY SUPER FUND

I am responsible for ensuring that the fund complies with the *Superannuation Industry (Supervision) Act 1993 (SISA)* and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing the fund's compliance with the law.

If I do not comply with the legislation, the Commissioner may take the following actions:

- ☒ impose administrative penalties on me
- ☒ enter into agreements with me to rectify any contraventions of the legislation
- ☒ disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future
- ☒ remove the fund's complying status resulting in a significant tax penalty on the fund, and
- ☒ prosecute me under the law, resulting in fines or imprisonment.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

SOLE PURPOSE

I understand it is my responsibility to ensure the fund is maintained for the purpose of providing benefits to its members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies.

TRUSTEE DUTIES

I understand that by law I must:

- ☒ act honestly in all matters concerning the fund
- ☒ exercise skill, care and diligence in managing the fund
- ☒ act in the best interests of all the members of the fund
- ☒ ensure that my money and other assets are kept separate from the money and other assets of the fund
- ☒ take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)
- ☒ not enter into any contract, or do anything, that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund
- ☒ prepare and implement an investment strategy that takes the whole of the fund's circumstances into account, which includes, but is not limited to
 - the risks associated with the fund's investments
 - the likely return from investments, taking into account the fund's objectives and expected cash flow requirements
 - investment diversity and the fund's exposure to risk due to inadequate diversification, and
 - the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities, and
- ☒ allow all members of the fund to have access to information and documents as required, including details about
 - the financial situation of the fund
 - the investments of the fund, and
 - the members' benefit entitlements.

Investment restrictions

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from the following:

- ☒ lending money of the fund to, or providing financial assistance to, a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly including the provision of credit)
- ☒ acquiring assets (other than listed securities, business real property or managed funds) for the fund from members or associates or other related parties of the fund
- ☒ borrowing money (or maintaining an existing borrowing) on behalf of the fund
- ☒ having more than 5% of the fund's total assets at any time of the year as loans to, or investments in, related parties of the fund (including trusts) and assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party (these assets are in-house assets), and
- ☒ entering into investments on behalf of the fund that are not made or maintained on an arm's length (commercial) basis, ensuring that the purchase or sale price of the fund's assets reflect market value.

Accepting contributions and paying a benefit

I understand that I can only accept contributions and pay benefits (pensions or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund's governing rules (including its trust deed) have been met.

Administration

I understand that the trustees of the fund must:

- keep and retain for at least 10 years
 - minutes of all trustee meetings at which matters affecting the fund were considered (this includes investment decisions and decisions to appoint members and trustees)
 - records of all changes of trustees, including directors of the corporate trustee
 - each trustee's consent to be appointed as a trustee of the fund or a director of the corporate trustee, and
 - all trustee declarations
- ensure that the following are prepared and retained for at least 5 years
 - a statement of financial position
 - an operating statement, and
 - accounts and statements that correctly record and explain the transactions and financial position of the fund
- notify the Tax Office within 28 days of any changes in
 - trustees, directors of the corporate trustee or members of the fund
 - fund name
 - details of the contact person, contact phone and facsimile numbers, and
 - the postal address, registered address, or address for service of notices for the fund
- notify the Tax Office in writing as soon as practicable (not later than 28 days) after becoming aware that the fund has ceased to be a self managed superannuation fund or ceased to exist
- ensure that an approved auditor is appointed to audit the fund for each income year and provide that auditor with documents as requested, and
- lodge the fund's annual return by the due date.

DECLARATION

By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and if I fail to do this, penalties may apply, and
- I may have to make this document available for inspection by a member of staff of the Tax Office and if I fail to do this, penalties may apply.

Trustee's or director's name

COLIN RUSSELL WALKER

Trustee's or director's signature



Date

Day: 21 / Month: 07 / Year: 2008

Witness' name (witness must be over the age of 18 years)

TERESA JOY WELHAM

Witness' signature



Date

Day: 21 / Month: 07 / Year: 2008

Appointment as Trustee of the The Walker Family Super Fund (‘the Fund’)

I, Patricia Rose Walker

of 3 Rigg Place, McDowall, QLD 4053

HEREBY DECLARE THAT

1. I consent to act a trustee of the Fund.
2. I agree to be bound by the Fund’s trust deed, all of the rules contained within the governing rules of the Fund, the laws under the *Superannuation Industry (Supervision) Act 1993* (‘SIS Act’), the *Income Tax Assessment Act 1997*, the *Family Law Act 1975* (Part VIIIIB), the *Social Security Act 1991*, the relevant *State Trustee Act*, any successor acts and all regulations made for the purposes of the foregoing acts to ensure that:
 - a. The Fund elects to be a regulated superannuation fund under the *SIS Act*;
 - b. The Fund is continuously maintained as a self managed superannuation fund; and,
 - c. The Fund remains a continuously complying superannuation fund.
3. I am not a disqualified person as that term is defined under the rules of the Fund and pursuant to Part 15 of the *SIS Act*. A disqualified person includes:
 - a. A person found guilty of a dishonest conduct offence in Australia or elsewhere;
 - b. A person that is insolvent under administration pursuant to the *Bankruptcy Act 1966*;
 - c. A person disqualified by the Regulator, as that term is defined under the rules of the Fund, according to Section 120A of the *SIS Act*.

The appointment is to last only so long as the continuing appointment does not render the fund a non-complying self managed superannuation fund. Where the appointment jeopardises the fund’s complying status, I hereby agree to resign with effect immediately upon becoming advised by the trustee that my continuing appointment may result in the Fund becoming a non-complying self managed superannuation fund.

Signed by:



Patricia Rose Walker

Date

21. 7. 08



Self managed super fund trustee declaration

I understand that as an individual trustee or director of the corporate trustee of

Fund name

THE WALKER FAMILY SUPER FUND

I am responsible for ensuring that the fund complies with the *Superannuation Industry (Supervision) Act 1993* (SISA) and other relevant legislation. The Commissioner of Taxation (the Commissioner) has the authority and responsibility for administering the legislation and enforcing the fund's compliance with the law.

If I do not comply with the legislation, the Commissioner may take the following actions:

- impose administrative penalties on me
- enter into agreements with me to rectify any contraventions of the legislation
- disqualify me from being a trustee or director of a corporate trustee of any superannuation fund in the future
- remove the fund's complying status resulting in a significant tax penalty on the fund, and
- prosecute me under the law, resulting in fines or imprisonment.

I must keep myself informed of changes to the legislation relevant to the operation of my fund and ensure the trust deed is kept up to date in accordance with the law and the needs of the members.

SOLE PURPOSE

I understand it is my responsibility to ensure the fund is maintained for the purpose of providing benefits to its members upon their retirement (or attainment of a certain age) or their beneficiaries if a member dies.

TRUSTEE DUTIES

I understand that by law I must:

- act honestly in all matters concerning the fund
- exercise skill, care and diligence in managing the fund
- act in the best interests of all the members of the fund
- ensure that my money and other assets are kept separate from the money and other assets of the fund
- take appropriate action to protect the fund's assets (for example, have sufficient evidence of the ownership of fund assets)
- not enter into any contract, or do anything, that would prevent me from, or hinder me in, properly performing or exercising my functions or powers as a trustee or director of the corporate trustee of the fund
- prepare and implement an investment strategy that takes the whole of the fund's circumstances into account, which includes, but is not limited to
 - the risks associated with the fund's investments
 - the likely return from investments, taking into account the fund's objectives and expected cash flow requirements
 - investment diversity and the fund's exposure to risk due to inadequate diversification, and
 - the liquidity of the fund's investments having regard to the fund's expected cash flow requirements in discharging its existing and prospective liabilities, and
- allow all members of the fund to have access to information and documents as required, including details about
 - the financial situation of the fund
 - the investments of the fund, and
 - the members' benefit entitlements.

Investment restrictions

I understand that, as a trustee or director of the corporate trustee of the fund, subject to certain limited exceptions specified in the law, I am prohibited from the following:

- lending money of the fund to, or providing financial assistance to, a member of the fund or a member's relative (financial assistance means any assistance that improves the financial position of a person directly or indirectly including the provision of credit)
- acquiring assets (other than listed securities, business real property or managed funds) for the fund from members or associates or other related parties of the fund
- borrowing money (or maintaining an existing borrowing) on behalf of the fund
- having more than 5% of the fund's total assets at any time of the year as loans to, or investments in, related parties of the fund (including trusts) and assets subject to a lease or lease arrangement between the trustee and a member, relative or other related party (these assets are in-house assets), and
- entering into investments on behalf of the fund that are not made or maintained on an arm's length (commercial) basis, ensuring that the purchase or sale price of the fund's assets reflect market value.

Accepting contributions and paying a benefit

I understand that I can only accept contributions and pay benefits (pensions or lump sums) to members or their beneficiaries when the conditions specified in the law and the fund's governing rules (including its trust deed) have been met.

Administration

I understand that the trustees of the fund must:

- keep and retain for at least 10 years
 - minutes of all trustee meetings at which matters affecting the fund were considered (this includes investment decisions and decisions to appoint members and trustees)
 - records of all changes of trustees, including directors of the corporate trustee
 - each trustee's consent to be appointed as a trustee of the fund or a director of the corporate trustee, and
 - all trustee declarations
- ensure that the following are prepared and retained for at least 5 years
 - a statement of financial position
 - an operating statement, and
 - accounts and statements that correctly record and explain the transactions and financial position of the fund.
- notify the Tax Office within 28 days of any changes in
 - trustees, directors of the corporate trustee or members of the fund
 - fund name
 - details of the contact person, contact phone and facsimile numbers, and
 - the postal address, registered address, or address for service of notices for the fund
- notify the Tax Office in writing as soon as practicable (not later than 28 days) after becoming aware that the fund has ceased to be a self managed superannuation fund or ceased to exist
- ensure that an approved auditor is appointed to audit the fund for each income year and provide that auditor with documents as requested, and
- lodge the fund's annual return by the due date.

DECLARATION

By signing this declaration I acknowledge that I understand my duties and responsibilities as a trustee or director of the corporate trustee of the self managed superannuation fund named on this declaration (or if the fund's name changes, that name). I understand that:

- I must ensure this document is retained for at least 10 years or while I remain a trustee or director of the corporate trustee (whichever is longer) and if I fail to do this, penalties may apply, and
- I may have to make this document available for inspection by a member of staff of the Tax Office and if I fail to do this, penalties may apply.

Trustee's or director's name

PATRICIA ROSE WALKER

Trustee's or director's signature

Patricia Walker

Date

Day: 21 / Month: 07 / Year: 2008

Witness' name (witness must be over the age of 18 years)

TERESA JOY WALKER

Witness' signature

Teresa Joy Walker

Date

Day: 21 / Month: 07 / Year: 2008

Application for Membership to the The Walker Family Super Fund ('the Fund')

I, Colin Russell Walker of 3 Rigg Place, McDowall, QLD 4053

have been formally appointed as a trustee of the Fund. As such I hereby apply for membership of the Fund and consent to becoming a member of it. I confirm that I am not aware of any impediment to my becoming a member. I acknowledge that I have read the product disclosure statement including any written or audiovisual information provided to me.

I agree, upon acceptance of my membership to:

1. Be bound by the terms of the deed and all of the rules of the Fund;
2. Be bound by all decisions of the trustee including decisions that may impact upon my membership benefits provided those decisions are made in accordance with the rules of the fund, the superannuation laws and the trustee laws;
3. Be a trustee unless there is a specific trustee exemption in place in respect of my membership under the superannuation laws;
4. Provide information to the trustee where required including medical information enabling the trustee to facilitate any death or disablement insurance on my behalf;
5. Provide my tax file number to the trustee provided the trustee abides by the laws relating to the collection and dissemination of my tax file number;
6. Consent to the trustee to hold that information despite anything to the contrary in the privacy legislation;
7. Provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a binding death benefit nomination;
8. Ensure that at the time of making any super contributions, transfers or rollovers that those contributions, transfers and rollovers are made in accordance with the superannuation laws;
9. Notify the trustee where I become disabled, retired, have reached preservation age or meet some other condition of release of my benefits from the preservation rules.
10. Notify the trustee where I become separated from my spouse, if I have one and the separation is deemed by either spouse to be irreconcilable.

I nominate the following Dependants (spouse or children) to be entitled to any benefit that I may have in the Fund upon my death:

Name	Relationship	% of Benefit
PATRICIA ROSE	WIFE	100%
WALKER		

The above is in place until I provide the trustee, a detailed death benefit plan as noted at 7. above.

Date of Birth: 01/04/1939 **Tax File Number:** 477 513 562

Signed  Date 21-7-08
Colin Russell Walker

**Notification of Appointment as Trustee and Acceptance
as a Member of the The Walker Family Super Fund ('the
Fund')**

To: Colin Russell Walker

The trustee has reviewed your application to join the Fund as a member that is conditional upon your appointment as a trustee. It has been resolved by the trustee to:

1. Appoint you firstly as a trustee. As trustee you have agreed to be bound by the trust deed and rules of the Fund and the superannuation, taxation, family law, social security and State trustee laws;
2. Accept you as a member conditional upon you becoming first appointed as a trustee. As a member you have acknowledged that you have read the product disclosure statement as required by the rules of the Fund and have agreed to be bound by the trust deed and rules of the Fund.

You would already have received a Product Disclosure Statement explaining your rights and responsibilities under the rules of the Fund as both a trustee and as a member. However we advise, that as a trustee it is your responsibility to become acquainted with the constitution of the company and the rules of the Fund that are located at the office of the trustee.

Furthermore we advise that you have a responsibility to complete the declaration provided on a form approved by the Regulator (Australian Taxation Office) that you understand your duties and obligations as trustee.

Signed _____



Date _____

21. 7. 08

Trustee Name _____

COLIN RUSSELL WALKER

Application for Membership to the The Walker Family Super Fund ('the Fund')

I, Patricia Rose Walker of 3 Rigg Place, McDowall, QLD 4053

have been formally appointed as a trustee of the Fund. As such I hereby apply for membership of the Fund and consent to becoming a member of it. I confirm that I am not aware of any impediment to my becoming a member. I acknowledge that I have read the product disclosure statement including any written or audiovisual information provided to me.

I agree, upon acceptance of my membership to:

1. Be bound by the terms of the deed and all of the rules of the Fund;
2. Be bound by all decisions of the trustee including decisions that may impact upon my membership benefits provided those decisions are made in accordance with the rules of the fund, the superannuation laws and the trustee laws;
3. Be a trustee unless there is a specific trustee exemption in place in respect of my membership under the superannuation laws;
4. Provide information to the trustee where required including medical information enabling the trustee to facilitate any death or disablement insurance on my behalf;
5. Provide my tax file number to the trustee provided the trustee abides by the laws relating to the collection and dissemination of my tax file number;
6. Consent to the trustee to hold that information despite anything to the contrary in the privacy legislation;
7. Provide the trustee, within a reasonable period of time a detailed death benefit plan that may include a binding death benefit nomination;
8. Ensure that at the time of making any super contributions, transfers or rollovers that those contributions, transfers and rollovers are made in accordance with the superannuation laws;
9. Notify the trustee where I become disabled, retired, have reached preservation age or meet some other condition of release of my benefits from the preservation rules.
10. Notify the trustee where I become separated from my spouse, if I have one and the separation is deemed by either spouse to be irreconcilable.

I nominate the following Dependants (spouse or children) to be entitled to any benefit that I may have in the Fund upon my death:

Name	Relationship	% of Benefit
COLIN RUSSELL WALKER	Husband	100%

The above is in place until I provide the trustee, a detailed death benefit plan as noted at 7. above.

Date of Birth: 27/11/1939 **Tax File Number:** 476 946 178

Signed *Patricia Rose Walker* **Date** 21. 7. 08
Patricia Rose Walker

