

DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE

McLeary Superannuation Fund

Level 23 Central Plaza One
345 Queen Street
BRISBANE QLD 4000
Tel: (07) 3231 0600
Fax: (07) 3221 2921
Our ref: NJD:TNH:LUG:104381

www.mcw.com.au

Brisbane
Maroochydore
Southport

Affiliated office
Sydney

Client No: 3466975 Duties Act 2001
 Assessment No: 510-748-778
 Duty Paid \$ nil ☒ Exempt
 UTI \$
 Date: 14 / 10 / 15 Signed: [Signature]

1

DEED OF APPOINTMENT AND RETIREMENT OF TRUSTEE

DATE 31-8-2015

DETAILS OF PARTIES

Name Shirley Margaret McLeary (**Continuing Trustee and Member**)
 Address 54 Currong Street
 Kenmore Qld 4069

Name Shirley Margaret McLeary as Legal Personal Representative for Ian
 Alfred McLeary (**Retiring Trustee and Member**)
 Address 54 Currong Street
 Kenmore Qld 4069

Name Bruce Ronald McLeary (**New Trustee**)
 Address 70 Camelia Street
 Cannon Hill Qld 4170

BACKGROUND

- A. The McLeary Superannuation Fund (**Fund**) was established pursuant to a Deed of Trust dated 31 January 2013 which contained the rules for the Fund (**Trust Deed**).
- B. Pursuant to clause 3.2(b)(ii) of the Trust Deed a trustee ceases to be a trustee of the Fund when the trustee dies.
- C. Pursuant to clause 3.2(a) of the Trust Deed the Members may appoint a new trustee of the Fund.
- D. The parties wish to record the cessation of the Retiring Trustee being a trustee of the fund and the appointment of the New Trustee.

OPERATIVE PROVISIONS

1. CESSATION

The Retiring Trustee, in accordance with clause 3.2(b)(ii) of the Trust Deed, retires as trustee of the Fund with effect from the date of the Retiring Trustee's death.

2. APPOINTMENT AND ACCEPTANCE

2.1 Appointment of New Trustee

The New Trustee is, in accordance with clause 3.2(a) of the Trust Deed, appointed to act as trustee of the Fund with effect from the date of this deed.

2.2 Acceptance by New Trustee

The New Trustee accepts the appointment as trustee of the Fund from the date of this deed and agrees to be bound by the restrictions and obligations placed on that position by the provisions of the Trust Deed.

3. SECRETARIAL

The Retiring Trustee, Continuing Trustee and New Trustee will promptly do all things necessary to:

- (a) give effect to the provisions of this deed; and
- (b) transfer and deliver the property of the Fund to the New Trustee jointly with the Continuing Trustee.

4. RELEASE AND INDEMNITIES

4.1 Release of Retiring Trustees

From the date of this deed, the Retiring Trustee is released from all further obligations under the Trust Deed except:

- (a) in relation to any antecedent neglect or default of the Retiring Trustee; and
- (b) the obligations of the Retiring Trustee under clause 3.

4.2 Indemnity of Retiring Trustee

The New Trustee and Continuing Trustee indemnify, to the extent it can be satisfied out of property of the Fund, the Retiring Trustee for all claims, costs (including legal costs on a full indemnity basis), damages, expenses and liabilities of the Retiring Trustee in respect of which the Retiring Trustee would have had a right of indemnity out of the assets of the Fund prior to the date of this deed.

4.3 Indemnity by Retiring Trustee

The Retiring Trustee indemnifies the Continuing Trustee and New Trustee with respect to any successful actions, claims or demands against the Continuing Trustee or New Trustee which may arise from any breach of trust by the Retiring Trustee during the period of conduct of the Fund by the Retiring Trustee where the assets of the Fund are insufficient to satisfy the liability.

Execution

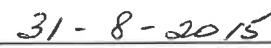
Executed as a deed.

SIGNED SEALED AND DELIVERED by
SHIRLEY MARGARET MCLEARY, in the
presence of:

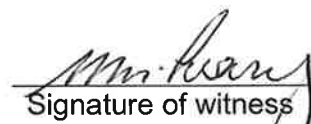

Signature of witness


Name of witness (BLOCK LETTERS)


Signature of party



Date signed

SIGNED SEALED AND DELIVERED by
SHIRLEY MARGARET MCLEARY AS
LEGAL PERSONAL REPRESENTATIVE
OF IAN ALFRED MCLEARY, in the
presence of:



Signature of witness


Name of witness (BLOCK LETTERS)


Signature of party

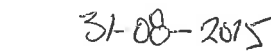

Date signed

SIGNED SEALED AND DELIVERED by
BRUCE RONALD MCLEARY, in the
presence of:


Signature of witness


Name of witness (BLOCK LETTERS)


Signature of party


Date signed