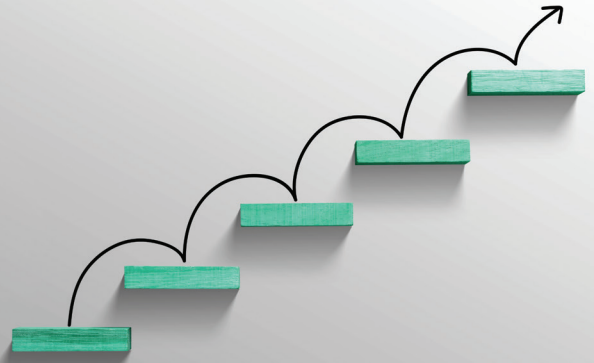


SMSF Trust Deed & **3-YEAR AUDIT CYCLE**

For peace of mind, upgrade now



Does your client's SMSF trust deed need upgrading?

Our updated trust deed incorporates all the super reforms and 2017 and 2018 Federal Budget changes, including the anticipated introduction of three yearly audit cycles and six-member SMSFs.

By updating your clients will ensure that their SMSF trust deed incorporates all the latest legislative changes and supports the latest SMSF strategies:

- ✓ The anticipated introduction of three yearly audit cycles for some SMSFs
- ✓ The introduction of the \$1.6 million transfer balance cap
- ✓ The anticipated increase in the maximum number of SMSFs members from four to six
- ✓ The First Home Super Saver Scheme
- ✓ Investment in digital currency, cryptocurrency and other similar digital assets
- ✓ The changes to the transition to retirement pension rules
- ✓ The introduction of 'Downsizer contributions' for members over age 65
- ✓ Binding death benefit nominations and discretionary decision-making powers which reduce the risk of protracted and unnecessary legal disputes



Supports the latest SMSF strategies

SuperConcepts' trust deed upgrades are reviewed by a qualified lawyer. This review incorporates checking that any previous deed amendments and upgrades have been done correctly and were validly executed.

Why is this important?

Recent court cases have once again highlighted the importance of ensuring deed upgrades are reviewed and checked by a qualified lawyer. This requires a review of previous deed amendments to ensure they have been done in accordance with the variation powers of the existing deed. A previous deed amendment which has not been done correctly could mean all deed upgrades done thereafter are invalid together with any binding death benefit nominations and other clauses which rely on the upgraded deed. It could also mean the current trustees of the fund are not who you think they are.



Did you know?

Some SMSF trust deeds require the fund's financial accounts to be audited on an annual basis. This means your client's fund may still be required to be audited annually even if the anticipated introduction of three yearly-audit cycles is introduced and the fund is eligible to be audited less frequently. Our refreshed trust deed has been drafted with the anticipated introduction of three yearly audit cycles in mind.

Changes to the super and taxation laws

Aside from the super reforms and the 2017 and 2018 Federal Budget changes, there have been other changes to the Superannuation and Taxation laws over the years which may warrant changes to your SMSF client's trust deed. These changes include:

- New rules regarding insurance policies that can be taken out by superannuation funds post 1 July 2014.
- New rules which require SMSF trustees to have in a place an investment strategy which gives regard to the insurance needs of members.
- New rules for SMSFs investing in collectables and personal use assets held. Collectables and personal use assets include things like artwork, jewellery, coins, wine and vintage cars.
- New rules which require the assets of an SMSF to be held separately from the member's personal assets and registered accordingly.
- New rules which require the assets of an SMSF to be valued at market value at the end of each financial year.
- Compliance with major lending institution requirements to enable borrowing arrangements within an SMSF.

Further information



CALL
1300 023 170



EMAIL
enquiries@superconcepts.com.au



VISIT
superconcepts.com.au

Important information

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1. FUND DETAILS

Fund name

Commencement date / /

ABN - - -

Please attach a copy of the fund's Trust Deed together with minutes or other documentation relating to variations to fund name, structure or membership.

Was the existing Trust Deed established or amended by SuperConcepts?

Yes Please state the SuperConcepts Fund ID:

No

2. FUND TRUSTEE DETAILS

Individual Trustee/s — Go to **section 4** or Existing Trustee Company — Go to **section 3**

3. EXISTING FUND TRUSTEE COMPANY DETAILS

Full company name

ACN - -

Please attach a copy of the current ASIC company statement to confirm Directors and registered office details.

4. FUND STRUCTURE**TRUSTEE 1**

Capacity Individual Trustee or Director of Trustee Company

Fund member Yes No

Name

Gender Male Female

Residential address

Phone

Email

Date of birth / /

TRUSTEE 2

Capacity Individual Trustee or Director of Trustee Company

Fund member Yes No

Name

Gender Male Female

Residential address

Phone

Email

Date of birth

TRUSTEE 3

Capacity Individual Trustee or Director of Trustee Company

Fund member Yes No

Name

Gender Male Female

Residential address

Phone

Email

Date of birth

TRUSTEE 4

Capacity Individual Trustee or Director of Trustee Company

Fund member Yes No

Name

Gender Male Female

Residential address

Phone

Email

Date of birth

5. FEES (prices quoted are inclusive of GST)

	Fees
Upgrade an earlier version of the SuperConcepts Trust Deed	<input type="checkbox"/> \$220
Upgrade from a non-SuperConcepts Trust Deed	<input type="checkbox"/> \$330
Lost Deed Request	<input type="checkbox"/> \$363
Optional – Hard copy delivery of documents <i>We provide an electronic copy of the kit free of charge, please indicate if you would like an additional Hard Copy format</i>	<input type="checkbox"/> \$50

6. PAYMENT DETAILS

Please note: we require payment upfront before proceeding with the request.

Cheque – Please enclose a cheque made payable to: **SuperConcepts Administration Pty Ltd**

Credit Card payment

We will call you once you have submitted the application to arrange payment over the phone.

Please note, this expense can be reimbursed from the fund.

Electronic Funds Transfer (EFT) – Please provide a copy of the payment confirmation receipt

Account name: SuperConcepts Pty Ltd
BSB: 032-099
Account number: 615086
Please quote: Your Superannuation Fund Name (as detailed in **section 1**)

7. PRIMARY CONTACT DETAILS

These details will be used for all correspondence, contact, delivery and billing purposes.

Trustee

Nominated representative e.g. Adviser (please specify below)

Name

Company

Dealer group

Address

Postal address

Phone

Email

Mobile

Fax

8. CHECKLIST

Before submitting your application please ensure you have:

- Attached a copy of the current ASIC statement (if you answered “Existing Trustee Company” in **section 3**)
- Completed all member details (refer to **section 4**)
- Provided a copy of the current fund deed
- Any change of trustee minutes if the structure of the fund has changed since the last Deed was issued
- Included payment details (refer to **section 6**)

- All requests will need to include a signed copy of the current Trust Deed for the fund together with any previous deed amendments or variations.
- Please provide documentation to confirm the Current Trustee Structure, be it the ASIC Company Extract or minutes/deeds appointing and removing new Trustees.

Important Note: Providing incomplete details will delay the processing of your application. Please ensure that you have completed all relevant sections and provided all additional information where required.

8A. TERMS AND CONDITIONS

Your fund's trust deed is an important legal document. Before signing the application form please read the following terms and conditions that apply to this offer:

- The information provided with this offer is general in nature and should not be considered as legal advice. Before deciding to refresh your trust deed under this offer, you should seek your own independent legal and financial advice as to the suitability of the refreshed trust deed given your particular circumstance.
- Refreshing your fund's trust deed via this offer will have the effect of replacing, via a deed of variation, all of the terms of your existing trust deed (other than those terms which cannot be replaced) with the terms of the refreshed trust deed. This includes terms in your fund's trust deed which may have been tailored to your needs or prepared with your specific circumstance in mind. The refreshed trust deed does not constitute a new deed.
- Some trust deeds may contain complex or specific deed variation terms which may require additional legal costs to be incurred. Additional legal fees may also be incurred if you are unable to provide copies of previous deed amendments or other historical documents which may be required to complete the upgrade of your trust deed. We will notify you prior to any costs being incurred if discounted pricing, which you would otherwise be entitled to, is not applicable to you.
- The refreshed trust deed for your fund under this offer is only effective once the deed of variation has been signed by the trustee(s) of your SMSF and duly executed. Prior to the refreshed trust deed being effected, the terms of your current trust deed continue to apply.
- Once we have received your completed trust deed refresh application form, we will endeavour to replace your fund's current trust deed with the refreshed trust deed under this offer as soon as practicable.

9. DECLARATION

By signing below, I, on behalf of the trustees of the Fund:

- declare that I am authorised to make declarations on behalf of the persons named in this application form;
- declare that the information completed on this Application Form is complete and to the best of my knowledge, accurate and correct. To the extent that any information is subsequently identified as incorrect or found to be omitted from this Application Form, I authorise SuperConcepts to correct any errors and complete any omissions on this Application Form, following my confirmation (either orally or in writing);
- acknowledge that I have read and understood the Terms and Conditions for the Service and the Service Material, as updated from time to time, and agree to be bound by them;
- have read and understood the Fee Schedule applicable for the Services, found at www.superconcepts.com.au as updated from time to time and agree to be bound by them;
- authorise the collection, use and disclosure of my personal information for the purpose of the assessment of the application and if accepted, the management and administration of services in which I have applied. I understand that unless I consent to the collection, use and disclosure of this information, SuperConcepts will not be able to process my application or deliver the relevant Service(s);
- understand that SuperConcepts may routinely disclose my personal information to third parties such as: organisations undertaking compliance functions of SuperConcepts' information; organisations maintaining SuperConcepts' information technology system; authorised financial institutions; organisations providing mailing and printing services and my nominated representative (if applicable); and,
- accept that SuperConcepts or any of its related bodies corporate may send me information about its services from time to time. I understand that I may notify SuperConcepts of my decision not to receive further information by contacting SuperConcepts directly.

Signature

Print Name

Date

SUBMIT FORM

Mailing address
PO Box R476
Royal Exchange
NSW 1225

Phone 1300 023 170
Email trusteeservices@superorganised.com.au
Website superconcepts.com.au



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