# MJHC LEGAL

# LAWYERS Superannuation · Property · Wills · Commercial

DOCUMENT & INFORMATION REQUIREMENTS FOR TRUSTEE CHANGE TRANSFERS

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| A. ADVISOR/PERSO  | A. ADVISOR/PERSON ORDERING DEED:          |                |                     |                   |                     |  |  |  |  |  |  |
|---|---|----------------|---------------------|-------------------|---------------------|--|--|--|--|--|--|
| Enquiries, documents, invoices Person Ordering:   | will be directed to this person, unless o | therwise state | ed                  |                   |                     |  |  |  |  |  |  |
| Firm Name:  |   |                |                     |                   |                     |  |  |  |  |  |  |
| Street Address:   |   |                |                     |                   |                     |  |  |  |  |  |  |
| Suburb/Postcode   |   |                |                     |                   |                     |  |  |  |  |  |  |
| Telephone:  |   | Fax:           |                     |                   |                     |  |  |  |  |  |  |
| Email:  |   |                | ture:               |                   |                     |  |  |  |  |  |  |
| Correspondence to be sent: Direct to client: Via advisor/accountant:  (copy will be sent to accountant/advisor)   |   |                |                     |                   |                     |  |  |  |  |  |  |
| B. REQUIRED DOC   | UMENTS:                                   |                | 1                   |                   |                     |  |  |  |  |  |  |
| Signed & dated SMSF Trust Deed and all amendments/appointments  DFT & Unit Trust deeds must also be stamped by the SRO  Note: See information contained under 'Missing Documents' if not all deeds can be provided  Enclosed: |   |                |                     |                   |                     |  |  |  |  |  |  |
| - Relevant minutes of me  | eting regarding trustee change            | Enclosed       | :                   |                   |                     |  |  |  |  |  |  |
| - Current ASIC Annual Co  | ompany Statement (If either old           | Enclosed       |                     |                   |                     |  |  |  |  |  |  |
| - Company Constitution (  | for all companies)                        |                | Enclosed            | : Not applicable: |                     |  |  |  |  |  |  |
| - Trust Financial Stateme   | ent showing when property first           | became tr      | rust asset.         | Enclosed          | : Already provided: |  |  |  |  |  |  |
| - Trust Financial Stateme   | ent prepared <b>prior</b> to transfer s   | Enclosed       | : Already provided: |                   |                     |  |  |  |  |  |  |
| - Certificate(s) of Title:  |   |                |                     |                   |                     |  |  |  |  |  |  |
| - if paper title  |   |                | Original Enclosed:  |                   | Held by MJHC Legal: |  |  |  |  |  |  |
| - if electronic title   |   |                | Control held by:    |                   |                     |  |  |  |  |  |  |
| - Current Council Rates (   | not an instalment notice)                 |                | Enclosed            | :                 |                     |  |  |  |  |  |  |
| - Current Water Rates   |   |                | Enclosed            | : Not applicable: |                     |  |  |  |  |  |  |
| - Current Land Tax Certif   | icate                                     | Enclosed       | : Not applicable:   |                   |                     |  |  |  |  |  |  |
| - Current Owners Corpor   | ation Levy Notice                         | Enclosed       | : Not applicable:   |                   |                     |  |  |  |  |  |  |
| - If documents are to be signed by an attorney, provide original Power of Attorney or certified copy  Enclosed: Not applicable:   |   |                |                     |                   |                     |  |  |  |  |  |  |
| C. THE PROPERTY   | :   |                |                     |                   |                     |  |  |  |  |  |  |
| Address of property:  |   |                | _                   |                   |                     |  |  |  |  |  |  |
| Title Particulars (Volume 8   | & Folio details):                         |                |                     |                   |                     |  |  |  |  |  |  |
| Are there separate car parking titles?  |   |                | Yes                 |                   |                     |  |  |  |  |  |  |
| s there a Tenant?   |   |                | Yes                 |                   |                     |  |  |  |  |  |  |
| s there a current written le  | ease?                                     | No             | Yes                 |                   |                     |  |  |  |  |  |  |
|   |   |                |                     |                   |                     |  |  |  |  |  |  |

| Brief description o<br>(age, nature of bu |                   |                    |          | ber/brick/brick veneer                     | , number of bed               | Irooms (if a reside | nce) etc):             |
|---|-------------------|--------------------|----------|--|-------------------------------|---------------------|------------------------|
|   |                   |                    |          |  |                               |                     |                        |
| D. THE TRU                                | IST:              |                    |          |  |                               |                     |                        |
| Trust/Fund Name:                          |                   |                    |          |  |                               |                     |                        |
| Trust/Fund ABN:                           |                   |                    |          |  |                               |                     |                        |
| Provide details of                        | current Trustee   | (s) of the Trust i | ncludin  | g name(s) and addres                       | ss(es). ACN (if a             | applicable)         |                        |
|   |                   |                    |          |  |                               |                     |                        |
| Provide details of applicable)            | New Trustee(s)    | including full na  | ıme(s) a | and address(es). If Tr                     | ustees are indiv              | viduals, provide da | ates of birth. ACN (if |
|   |                   |                    |          |  |                               |                     |                        |
| E. PROPER                                 | TY TRANSFER       | RINFORMATIO        | N:       |  |                               |                     |                        |
| What proportion of                        | f the property is | being transferre   | ed – wh  | ole or only part of it?                    |                               | If part only, wha   | at proportion?         |
| This might be                             | e applicable wh   | ere Retired/Reti   | ring Tru | ustee only holds part o                    | of the property i             | n a Trustee capac   | ity                    |
| Name and address                          | s of property ma  | anager (if applica | able)    | Not appl                                   | icable                        |                     |                        |
|   |                   |                    |          |  |                               |                     |                        |
| Address to which if so desirable):        | all future notice | s concerning the   | prope    | rty are to be sent (you                    | ı, your property              | manager or some     | e other person         |
|   |                   |                    |          |  |                               |                     |                        |
| For Minutes of Me                         | eting purposes,   | the date and ac    | ddress   | where and when the p                       | arties resolved               | to transfer the pro | operty                 |
| Date                                      | DD/MM/\           | YYY                |          | This past or future date v                 | vill be the date of           | the transfer.       |                        |
| Address:                                  |                   |                    |          |  |                               |                     |                        |
|   |                   |                    |          | Trustee or to any othe provide details:    | er person in res <sub>l</sub> | pect of the transfe | r?                     |
|   |                   |                    |          |  |                               |                     |                        |
| •   |                   | _                  |          | which there exists cor<br>provide details: | nsideration or va             | alue given for the  | transfer?              |
|   |                   |                    |          |  |                               |                     |                        |
|   |                   |                    |          |  |                               |                     |                        |

## F. MORTGAGES, CHARGES AND CAVEATS:

Is there a registered charge on the Personal Property Securities Register?

No

Yes

If Yes, has the bank/lender agreed to release the property from the charge?

No

Yes

Is there a mortgage (whether registered or unregistered) affecting the property?

No

Yes

If Yes, has the bank/lender agreed to the change of Trustee?

No
Yes

Is there a caveat affecting the property?

No
Yes

If Yes, has the caveator agreed to the change of Trustee?

No

Yes

Provide name, address and contact details for bank/lender or caveator

#### G. DOCUMENT DELIVERY:

Prepared documents are to be sent by: email: mail: express post:

Additional Fee of \$13.00 applies

#### H. COMPLETED INSTRUCTIONS:

Please forward completed instructions to MJHC Legal:

email: mjhc@mjhclegal.com fax: 03 9543 5133 mail: PO Box 412, Mount Waverley VIC 3149

Print and review your instructions before submitting and retain printed copy for your file. Adobe Reader will not allow you to save the data in this form.

The Email button will forward your completed Instruction Form to MJHC Legal, Solicitor.

The Reset button will clear all data in the form.

In submitting the completed Instruction Form, the person described in Part A authorises MJHC Legal to prepare the transfer documents and agrees to pay the Fees payable for those packages. You understand that typing/spelling errors or incorrect information given are your responsibility.

### I. MISSING DOCUMENTS:

If you have NOT checked a box that a document is 'Enclosed', unless you have checked that a document is 'Already Provided' or 'Not Applicable', you will need to provide copies in order for the property transfer documentation to be completed by MJHC Legal.

In assessing whether a transfer of property from the retired Trustee to a new Trustee is eligible for duty exemption, the State Revenue Office needs to sight copies of signed and dated Deeds of Establishment/Settlement, Deeds of Amendment and any Deeds of Trustee Appointment. If there are any missing documents, it will be necessary for MJHC Legal to prepare additional supporting material and an additional fee will apply.

Liability limited by a scheme approved under Professional Standards Legislation