Trust Deed Amendment Instruction Sheet

(Discretionary Trust, Unit Trust & Fixed Unit Trust)

*Acknowledgment*

In placing this order I acknowledge that:

1. It is my responsibility to ensure that the order form is complete and correct. I also agree to supply, at my or my client’s cost, a copy of the deed of the trust.

2. The documents I will receive are in a standard form prepared by solicitors for DocsCentre.

3. If new documents have to be prepared as a result of errors, omissions, or if further work is required to attend to errors or omissions in respect of the documents provided, a further fee will be payable. Furthermore, DocsCentre may reject the order if all the relevant documents cannot be produced, the documents are faulty, or if it requires rectification.

4. Stamp duty may apply in relation to the deeds. Neither InterPrac nor DocsCentre is liable for advising on stamp duty, paying the stamp duty or arranging for lodgment of the documents for stamping. In some states, there may be adverse stamp duty consequences as a result of these changes.

5. The documentation will be prepared based on the instructions contained in this order form. Neither InterPrac nor DocsCentre has provided any legal advice to the parties in relation to the suitability of the documents. In particular, InterPrac is not licensed to provide financial product (FP) advice under the Corporations Act 2001 (Cth) and I may consider taking advice from the holder of an Australian Financial Services Licence before making a decision on an FP. Furthermore, neither InterPrac nor DocsCentre is giving legal advice in arranging for the supply of these documents and if either I or my client requires legal advice in relation to this matter that will be arranged separately.

Person ordering deed

Person ordering:

Firm:

Delivery address (everything including tax invoices will be sent to this address):

 State & Postcode:

Phone:  Fax:

Email:

*By completing these instructions and sending them to DocsCentre, I/we and our client(s) hereby acknowledge
and agree to the above terms and conditions and that I/we have read the explanatory material included in this form.*

|  |  |  |
| --- | --- | --- |
| Payment details Please tick the following products you require and provide credit card details for payment. For other payment options, contact us on 1800 700 666.  | Deed of Variation: Trust – Change of Trustee(s) **$350 [ ]**  |  |
| Deed of Variation: Trust – Change of Appointor(s) **$350 [ ]**  |  |
| Deed of Variation: Trust – Change of Trust Name **$350 [ ]** Deed of Vesting: Trust – Wind up Trust **$350 [ ]** **(Please provide a photocopy of the executed Trust Deed)**  |  |
| Pre-execution change (any change after documents have been **[ ]** dispatched but before documents have been executed) **$95**  |  |
|  | Corporate Binder **$22 [ ]**  |  |

[ ]  Mastercard [ ]  Visa

Name on Card:

Credit Card No:

Expiry Date: Signature

***PLEASE COMPLETE ALL DETAILS THROUGHOUT THIS ORDER FORM (WHERE APPROPRIATE) IN LEGIBLE HANDWRITING AND PROVIDE FULL LEGAL NAMES***

|  |
| --- |
| **SECTION A – CURRENT TRUST DETAILS** |
| Name of Trust |  |
| Law Governing Fund | VIC [ ]  NSW [ ]  QLD [ ]  SA [ ]  WA [ ]  TAS [ ]  ACT [ ]  NT [ ]  |
| Date the original Trust Deed was executed/signed |  | Please include a copy (not original) of the deed (and details of any changes made since that deed was executed). Copies will not be returned unless requested. |
| Type of Trust: Discretionary Trust [ ]  Unit Trust [ ]  Fixed Unit Trust [ ]  Other [ ]  |
| What is the clause number of the deed which permits the relevant change(s) (e.g., removal, appointment, variation)?(leave blank if not known) |
| **SECTION B - TRUSTEE(S) DETAILS** |
| **CURRENT INDIVIDUAL TRUSTEES** |
| **TRUSTEE 1-** Full Name  |  | Remaining [ ] Retiring [ ]  |
| Residential Address |  |
|  |
| **TRUSTEE 2-** Full Name  |       | Remaining [ ] Retiring [ ]  |
| Residential Address |       |
|   |
| **TRUSTEE 3-** Full Name  |  | Remaining [ ] Retiring [ ]  |
| Residential Address |  |
|  |
| **TRUSTEE 4-** Full Name  |  | Remaining [ ] Retiring [ ]  |
| Residential Address |  |
|  |
| **NEW INDIVIDUAL TRUSTEES** |
| **TRUSTEE 1-** Full Name  |  |
| Residential Address |  |
| **TRUSTEE 2-** Full Name |  |
| Residential Address |  |
| **TRUSTEE 3-** Full Name |  |
| Residential Address |  |
| **TRUSTEE 4-** Full Name |  |
| Residential Address |  |

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| --- |
| **CURRENT CORPORATE TRUSTEE** |
| Name of Corporate Trustee ACN |  | Remaining [ ] Retiring [ ]  |
| Address |  |
| Names of Director (1)  |
| Names of Director (2)  |
| Names of Director (3)  |
| Names of Director (4)  |
| **NEW CORPORATE TRUSTEE** |
| Name of Corporate Trustee ACN |  |
| Address |  |
| Names of Director (1):  |
| Names of Director (2):  |
| Names of Director (3):  |
| Names of Director (4):  |
| **SECTION C – APPOINTOR /UNIT HOLDER DETAILS** |
| **CURRENT APPOINTOR(S) (*OR UNIT HOLDER(S) IF A UNIT TRUST*)** (The below tick box section only to be  completed for discretionary trusts) |
| Appointor/Unitholder 1 Name and address |  | Remaining [ ] Retiring [ ]  |
|  |
| Appointor/Unitholder 2Name and address |  | Remaining [ ] Retiring [ ]  |
|  |
| Appointor/Unitholder 3Name and address |  | Remaining [ ] Retiring [ ]  |
|  |
| Appointor/Unitholder 4Name and address |  | Remaining [ ] Retiring [ ]  |
|  |
| **NEW APPOINTOR(S)** *(This section is not to be completed for Unit Trusts & Fixed Unit Trusts)* |
| Appointor 1 Name and address |  |
|  |
| Appointor 2Name and address |  |
|   |
| Appointor 3 Name and address |   |
|   |
| Appointor 4 Name and address |   |
|  |

##### **SECTION D – CHANGE OF TRUST NAME**

|  |
| --- |
| Current Name  |
| Proposed Name  |

**SECTION E – VEST THE TRUST**

|  |
| --- |
| Vest the Trust (Wind Up) [ ]  |

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| **SPECIAL INSTRUCTIONS (IF ANY):**                |
|       |
| **How to complete THE order form for A TRUST deed AMENDMENT** |

***This section must be read in conjunction with the above order form***

*Please note: This form is only to be used for simple trust deed amendments, such as those set out above (and including changes to trustees or appointors). More complex changes may result in a resettlement, and you should obtain legal advice about this and to make the change. In addition, we do not change unitholders of unit trusts – the procedure for these changes should be detailed in your trust deed.*

**SECTION A – CURRENT TRUST DETAILS**

This section refers to the details of the trust as it is currently in place.

If you are aware of the clause number which permits the variation to take place, please complete. If you do not know, or you are unsure, please leave this blank.

**SECTION B – TRUSTEE DETAILs**

If appropriate, please indicate the names, residential addresses of all individual trustees and whether they are remaining, retiring or being appointed as a trustee (if applicable).

If appropriate, please indicate the name, ACN and address of the corporate trustee (if applicable) as well as the names of the directors and whether the corporate trustee is remaining, being appointed or retiring.

**SECTION C – APPOINTOR/UNIT HOLDER DETAILS-**

**For Discretionary Trusts**, please indicate the names and residential addresses of all individual appointors and whether they are retiring or being appointed as an appointor (if applicable).

*Note that some trusts may have a “Guardian” or other party, instead of or in addition to the Appointor. If so, please include current details of all relevant parties who must be involved with the change to the trust (on a separate sheet of paper, if necessary).*

**For Unit Trusts**, please indicate the names and residential addresses of all individual unit holders as many unit trust deeds require the consent of the unit holders to make any changes. If any unit holders are companies, please also include the ACN of the company, and if they are trustees of other trusts, please include the name of that other trust.

**SECTION D – CHANGE OF TRUST NAME**

Please complete this section if you wish to change the name of the trust.

**SECTION E – VEST THE TRUST**

Please complete this section if you wish to vest the trust. Please ensure that the trust has no income or assets as at the date of bringing forward the vesting date and that there are no remaining obligations to the beneficiaries.