

APPLICATION FORM

Unit Trust (Private)

Please read the following before completing this application form.

Warning

The trust deed is intended for a private unit trust, rather than a public or widely held unit trust. The trust deed does not contemplate the offering of units to the public. Typically, in a private unit trust, the unitholders are also directors or shareholders of the trustee. If you require a public or widely held unit trust, or a trust where unitholders are not shareholders in the trustee, please contact us.

By completing and submitting this application, you confirm:

1. the trustee is either one or more individual(s) or company(ies);
2. in the case of a company, it is in existence at the time of proceeding with the application;
3. that the choice of trustee for the trust has been carefully considered (e.g. for asset protection purposes and the ability to obtain duty exemptions for a replacement of trustee.)

If the original unitholders want to own a specific class of units (e.g. "Class X", or discretionary income units etc.) it may be necessary to document the precise terms of the issue of those units. The unit trust deed does not provide for "pro-forma terms" for any particular unit class, as the terms vary from trust to trust. Please contact us if you require specific unit classes. By default, unitholders will be issued with "ordinary" units.

The original unitholders may also wish to include a pre-emptive rights provision, giving themselves first right to acquire units on the issue or transfer of units, or on the death or default of a unitholder. We generally recommend that such provisions are contained in a unitholders agreement and/or buy-sell deed, rather than in the unit trust deed. Please contact us if you require a unitholders agreement or a buy-sell deed.

For taxation law purposes a trust may be categorised as fixed or non-fixed. This affects the tests to be applied in determining whether trust losses can be carried forward. The tests are usually easier to meet for fixed trusts. A fixed trust will specify that units may only be issued or redeemed for a price determined on the basis of net asset value, according to Australian accounting principles. A non-fixed trust will allow the price, if any, to be determined by the trustee. Please contact us if you require further advice about fixed and non-fixed trusts.

The power to remove and appoint trustees is exercisable by the unitholders, or alternatively, an appointor. Please contact us if you require further advice about whether or not to nominate an appointor.

If you have any questions about completing the application form please contact:

Christopher Davis

Principal

Phone: (07) 3014 6530

Email: cdavis@mcw.com.au

Taryn Hartley

Principal

Phone: (07) 3014 6513

Email: thartley@mcw.com.au

By completing and submitting the form you confirm as follows:

- a. It is the purchaser’s responsibility to ensure that the information supplied is correct.
- b. If new documents have to be prepared as a result of errors in the information a further fee will be payable.

Please ensure you complete all details below, and contact us with any questions you have prior to submitting the form.

PRICES

Electronic delivery of trust deed (PDF format)	\$440 plus GST
Preparation and delivery of a hard copy trust deed (incl. \$15 posting fee)	\$455 plus GST
Same day urgent preparation and delivery of hardcopy trust deed (incl. courier fees) - within Brisbane metro area and instructions received before 10:00 am	\$550 plus GST

PURCHASER’S DETAILS

Full name

Name of firm (if applicable)

Telephone Fax

Email address

Street Address

Suburb/City State Postcode

Postal Address
(if different from above)

Suburb/City State Postcode

TRUST DETAILS

Name of Trust

State or Territory (jurisdiction purposes)

FIXED OR NON-FIXED

Select either Fixed or Non-Fixed
(pertains to carried-forward trust loss rules)

Fixed
(price of issue or redemption is fixed according to net asset value of trust)

Non-Fixed
(price of issue or redemption, if any, is determined by trustee)

TRUSTEE’S DETAILS

Corporate Trustee / Individual Trustee 1

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Street

Suburb/City State Postcode

Corporate Trustee / Individual Trustee 2 (if any)

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Street

Suburb/City

State

Postcode

Corporate Trustee / Individual Trustee 3 (if any)

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Street

Suburb/City

State

Postcode

UNITHOLDERS

Unitholder 1

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Suburb/City

State

Postcode

Number of units

Class of units
(eg. ordinary)

Price per unit \$

Amount paid per unit \$

Total amount paid \$

Unitholder 2 (if any)

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Suburb/City

State

Postcode

Number of units

Class of units
(eg. ordinary)

Price per unit \$

Amount paid per unit \$

Total amount paid \$

Unitholder 3 (if any)

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Suburb/City

State

Postcode

Number of units

Class of units
(eg. ordinary)

Price per unit \$

Amount paid per unit \$

Total amount paid \$

Unitholder 4 (if any)

Full name / Entity name & ACN

Street Address

Unit, Floor, Building

Suburb/City

State

Postcode

Number of units

Class of units
(eg. ordinary)

Price per unit \$

Amount paid per unit \$

Total amount paid \$

APPOINTOR

Do you require an appointor for the trust?

Yes

No

If yes, complete the appointor's details below:

Appointor 1

Full name

Street Address

Unit, Floor, Building

Street

Suburb/City

State

Postcode

Appointor 2 (if any)

Full name

Street Address

Unit, Floor, Building

Street

Suburb/City

State

Postcode

RETURNING THIS FORM

After completing this form please either:

- print, sign, and fax it to McInnes Wilson Lawyers at (07) 3221 2921; or
- print, sign, scan, and email it to McInnes Wilson Lawyers at mcwonline@mcw.com.au; or

To print this form for signing click here:

To email this form to McInnes Wilson Lawyers, after confirming instructions below, click here:

CONFIRMATION OF INSTRUCTIONS

The purchaser agrees to purchase the goods and services indicated on this application form and acknowledges that legal or financial advice has not been given by McInnes Wilson Lawyers in relation to the preparation of the unit trust deed.

Signed by purchaser

Date (dd/mm/yy)

OR

Confirmed by purchaser

Date (dd/mm/yy)

Note: This application form will not be processed by McInnes Wilson Lawyers unless this section is completed.

CREDIT CARD PAYMENTS

Please debit the following credit card for the supply of goods and services indicated on this application form.

Note: Payment by credit card will incur a fee of 1.07% (incl GST) for VISA and MasterCard, and 3% (incl GST) for AMEX, on the GST inclusive price.

Credit card:

Visa MasterCard American Express

Total Remitted \$

Expiry date

 plus credit card fee specified above

Cardholder's Name

Card Number

Cardholder's Signature

Date

APPLICATION FOR ISSUE OF UNITS

TO: The Trustee(s) of the _____ Unit Trust

The applicant applies for the unit(s) specified below:

Applicant name (and ACN if applicable):

Applicant's address:

Number of units:

Class of units (ordinary, unless otherwise specified):

Price per unit: \$

Amount paid per unit: \$

Amount unpaid per unit: \$

Enclosed is the sum of \$ _____ . The applicant agrees to be bound by the terms of the trust deed as amended from time to time, and the terms upon which the unit(s) is/are issued.

Date: / /

For individuals:

SIGNED by the applicant:

Signature

For companies:

EXECUTED by the applicant:

Signature of director

Signature of director/secretary/ sole director & secretary*

*delete whichever is not applicable

Full name

Full name

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