

DOCUMENT & INFORMATION REQUIREMENTS FOR TRUSTEE CHANGE TRANSFERS

Superannuation · Property · Wills · Commercial

All correspondence to:
PO Box 412
Mount Waverley VIC 3149

Office Address
21 Hudson Place
Rowville VIC 3178
t: +61 3 9763 0139
www.mjhclegal.com

A. ADVISOR/PERSON ORDERING DEED:

Enquiries, documents, invoices will be directed to this person, unless otherwise stated

Person Ordering:

Firm Name:

Street Address:

Suburb/Postcode

Telephone:

Fax:

Email:

Signature:

Correspondence to be sent: Direct to client: ☐ Via advisor/accountant: ☐
(copy will be sent to accountant/advisor)

B. REQUIRED DOCUMENTS:

- Signed & dated SMSF Trust Deed and all amendments/appointments Enclosed: ☐
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
- Relevant minutes of meeting regarding trustee changes Enclosed: ☐
- Current ASIC Annual Company Statement (If either old or new Trustee is a company) Enclosed: ☐ Not applicable: ☐
- Company Constitution (for all companies) Enclosed: ☐ Not applicable: ☐
- Trust Financial Statement showing when property first became trust asset. Enclosed: ☐ Already provided: ☐
- Trust Financial Statement prepared **prior** to transfer showing property as trust asset. 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 Certificate Enclosed: ☐ Not applicable: ☐
- Current Owners Corporation 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 & Folio details):

Are there separate car parking titles? No ☐ Yes ☐

Is there a Tenant? No ☐ Yes ☐

Is there a current written lease? No ☐ Yes ☐

Brief description of the property and improvements:

(age, nature of building & improvements, made from timber/brick/brick veneer, number of bedrooms (if a residence) etc):

D. THE TRUST:

Trust/Fund Name:

Trust/Fund ABN:

Provide details of current Trustee(s) of the Trust including name(s) and address(es). ACN (if applicable)

Provide details of New Trustee(s) including full name(s) and address(es). If Trustees are individuals, provide dates of birth. ACN (if applicable)

E. PROPERTY TRANSFER INFORMATION:

What proportion of the property is being transferred – whole or only part of it?

If part only, what proportion?

This might be applicable where Retired/Retiring Trustee only holds part of the property in a Trustee capacity

Name and address of property manager (if applicable)

☐

Not applicable

Address to which all future notices concerning the property are to be sent (you, your property manager or some other person if so desirable):

For Minutes of Meeting purposes, the date and address where and when the parties resolved to transfer the property

Date

This past or future date will be the date of the transfer.

DD/MM/YYYY

Address:

Has any person paid any amount to the Retired/Retiring Trustee or to any other person in respect of the transfer?

No

☐

Yes

☐

If Yes, provide details:

Is the transfer part of a sale or other arrangement under which there exists consideration or value given for the transfer?

No

☐

Yes

☐

If Yes, provide details:

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

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.

Print Form

Submit by Email

Reset

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