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Disclaimer - We do not provide legal, accounting or stamp duty advice and therefore take no responsibility for your taxation, legal or other liabilities which may arise from the work we perform on your instructions. We urge you to first obtain legal and accounting advice in relation to your affairs and in particular this transaction.

INSTRUCTION SHEET FOR UNIT TRUST

Form of Trust: Fixed Trust Unfixed Trust

Please Note: If you have ticked Fixed Trust the unit trust deed created pursuant to this order will be a fixed trust for the purposes of the NSW Land Tax Management Act 1956. See Notes at the foot of this order form.

If the Unit Trust will not held real estate as an asset, you may wish to create an unfixed trust as it is a more flexible vehicle for commercial transactions.

Please seek professional advice from your accountant or solicitor in relation to establishing the type of unit trust that best suits your purposes.

Name of Trust: **The** _____

State of jurisdiction: _____

Date of Deed: _____ to be left blank

Name of Settlor: _____
(Must not be a beneficiary of the trust)

Address of Settlor: _____

Amount of Settled Sum: \$ _____

Name of Trustee: _____

ACN of Trustee: _____
(Not required for individual Trustees)

Address of Trustee: _____

Directors of Trustee: _____

Chairman of Trustee: _____

Unitholders

Name of 1st Unit holder: _____

Company ACN (if applicable): _____

Address of 1st Unitholder: _____

Number of units to be held: _____

Amount paid per Unit: \$ _____ per unit

If 1st Unitholder is a company – names of Directors attending Directors Meeting:

Chairman of Directors of Unitholder Company: _____

If sole director, is this person also a secretary? ? Yes ? No
If NOT sole director/secretary – name of company secretary _____

Does the Company have a Common Seal? ? Yes ? No

Is the 1st Unitholder to hold the Units as a trustee? ? Yes ? No

If so, name of Trust or beneficiaries: _____

Name of 2nd Unitholder: _____

Company ACN (if applicable): _____

Address of 2nd Unitholder: _____

Number of units to be held: _____

Amount paid per Unit: \$ _____ per unit

If 2nd Unitholder is a company – names of Directors attending Directors Meeting:

Chairman of Directors of Unitholder Company: _____

If sole director, is this person also a secretary? ? Yes ? No

Does the Company have a Common Seal? ? Yes ? No

Is the 2nd Unitholder to hold the Units as a trustee? ? Yes ? No

If so, name of Trust or beneficiaries: _____

Notes:

Under the New South Wales Land Tax Management Act 1956, if land is the subject of a fixed trust, the tax-free threshold applies in respect of land that is the subject of that trust. If the trust is not a fixed trust, it is treated as a special trust and the tax-free threshold does not apply to land owned by the trust.

If a trust satisfies relevant criteria, the beneficiaries of the trust will be taken to be owners of the land.

Accordingly, the trust will be taken to be a fixed trust and the trust will be entitled to the tax-free threshold.

The relevant criteria are as follows:

a) the trust deed must specifically provide that the beneficiaries of the trust:

i) are presently entitled to the income of the trust, subject only to payment of the trustees proper expenses, and

ii) are presently entitled to the capital of the trust, and may require the trustee to wind up the trust and distribute the trust property or the net proceeds of the trust property,

b) the entitlements referred to in paragraph (a) cannot be removed, restricted or otherwise affected by the exercise of any discretion, or by a failure to exercise any discretion, conferred on any person by the trust deed.

Your Details

By completing this form you agree to the trading terms and conditions of Corporate Express found on www.corporateexpress.com.au and acknowledge that Corporate Express will act as the lodging agent for any ASIC forms relating to this order.

Name _____

Contact _____ Email _____

Address _____

Delivery Address _____

Phone _____ Fax _____
