

Credit Card Details

Visa       Master Card       American Express

\* American Express cards will attract a 2.75% surcharge

Name on card: \_\_\_\_\_

Card Number: \_\_\_\_\_

Expiry Date: \_\_\_\_\_

Signature: \_\_\_\_\_

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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.

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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:      \$ \_\_\_\_\_

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Name of Trustee: \_\_\_\_\_

ACN of Trustee: \_\_\_\_\_  
*(Not required for individual Trustees)*

Address of Trustee: \_\_\_\_\_

Directors of Trustee: \_\_\_\_\_

Chairman of Trustee: \_\_\_\_\_

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**Unitholders**

**Name of 1st Unitholder:** \_\_\_\_\_

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 1<sup>st</sup> 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**

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**By completing this form you agree to the trading terms and conditions of Corporate Express found on [www.corporateexpress.com.au](http://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 \_\_\_\_\_

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