



# DISABILITY TRUST ORDER FORM

NAME: .....  
 FIRM: .....  
 PHONE: .....  
 E-MAIL: .....

FREECALL 1800 773 477

IMPORTANT: PLEASE REFER TO THE ATTACHED PAGE FOR CRITICAL INFORMATION REGARDING THE EXECUTION OF TRUST DOCUMENTS

NAME OF TRUST \_\_\_\_\_

Trust is to be settled (please tick)  DIRECT OR  POWER OF ATTORNEY (see over)  
 If no nomination is made, the trust will be signed under Power of Attorney.

Street Address for 1<sup>st</sup> Meeting \_\_\_\_\_

Settlor: ACIS SETTLEMENTS or \_\_\_\_\_

Settlement Sum: \$10.00 or \_\_\_\_\_

## TRUSTEE/S

CORPORATE TRUSTEE/S \_\_\_\_\_  
 (if applicable)  
 ACN \_\_\_\_\_

Names of ALL Directors \_\_\_\_\_  
 (1<sup>st</sup> listed to be Chairman & signatory/s)

INDIVIDUAL TRUSTEE/S \_\_\_\_\_  
 (1<sup>st</sup> listed to be Chairman & signatory/s)

Address of Trustee/s \_\_\_\_\_

## PRINCIPAL/S & BENEFICIARIES

Principal/s of Trust\* \_\_\_\_\_

\* Party/s who will have the power to appoint and/or remove a Trustee/Beneficiary

PRIMARY BENEFICIARIES (Please provide full names)

#1 _____	#4 _____
#2 _____	#5 _____
#3 _____	#6 _____

## DISABILITY TRUSTS

The Federal Government, Centrelink and the Department of Veterans Affairs have mandated a particular form of disability trust for the future care and accommodation needs of person with severe disabilities. Our standard Disability Trust Deed incorporates the terms of a model trust deed provided for the purpose which will be supplied to you upon completion of this order.

You must however satisfy yourself that the beneficiaries of this trust qualify for the concessions available to such a trust and that the trust deed complies with the requirements of the relevant department in order to obtain those concessions.

**PAYMENT DETAILS:** Please debit the following card details by the amount of \$ \_\_\_\_\_

TYPE OF CARD: Visa  Mastercard  \*Diners Club  \*Amex  \* 3% surcharge applies.

CARD NUMBER: \_\_\_\_\_ EXPIRY DATE: ( / )

NAME ON CARD: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Please return this Form on FREEFAX 1800 655 556 or call with any queries.

## **IMPORTANT: PLEASE READ PRIOR TO COMPLETING THE ORDER FORM**

### **ESTABLISHMENT OF YOUR TRUST**

ACIS provides trust establishments in 3 ways:

1. **Settled direct – we provide Settlor** - ACIS Settlements Pty Ltd acts as the Settlor and the Trust Deed is prepared and delivered to you for execution by the Trustee. The Trust's jurisdiction will be that in which the Trustee/s execute the Trust Deed and settlement stamp duty may (or may not) apply in that jurisdiction.
2. **Settled direct – you provide Settlor** - the Trust Deed is prepared and delivered to you for execution by the Settlor and Trustee. The Trust's jurisdiction will be that in which the Trustee/s execute the Trust Deed and settlement stamp duty may (or may not) apply in that jurisdiction.
3. **Power of Attorney** – ACIS Settlements Pty Ltd acts as the Settlor and ACIS Nominees Pty Ltd will sign the Trust Deed on behalf of the Trustee under Power of Attorney. As all documents are signed in our office, the Trust's settlement jurisdiction will be Queensland and as such no settlement stamp duty will be payable on the Trust Deed in Queensland. The power of attorney is restricted to the act of signing the deed only and does not constitute a general power of attorney i.e. once the deed is signed, the power of attorney effectively ends. If not accompanying your order, the executed power of attorney **MUST** be returned to us for the trust to be properly established.

For convenience, a blank power of attorney is attached. You should note that a trustee company cannot execute a Power of Attorney prior to its registration.

### **DATING YOUR TRUST**

When establishing your Trust, the following procedures will apply:

1. If the Trust Deed is to be settled direct using ACIS Settlements Pty Ltd as the Settlor (and your instructions do not specify a subsequent date), the Trust Deed will be dated when it is executed by the Settlor.
2. If you provide the Settlor (and your instructions do not specify a subsequent date), the Trust Deed will be supplied undated.
3. If the Trust Deed is executed under Power of Attorney, the Trust will be dated on the day we receive the properly executed Power of Attorney from you (regardless of the date appearing on the Power of Attorney).

### **NOTES**

It is vital that your Trust Deed is properly executed and the settlement sum received and deposited to a trust bank account **BEFORE** the trust undertakes any activity or acquires any assets. If the trust deed is not properly executed:

1. The trust may be improperly established, not established at all or invalid;
2. Adverse taxation (particularly CGT) and stamp duties issues may arise.

**POWER OF ATTORNEY**

I/We, [INSERT ALL NAMES] \_\_\_\_\_

\_\_\_\_\_  
(the "Trustee/s")

of [INSERT ADDRESS] \_\_\_\_\_

\_\_\_\_\_

make the following RECITALS:

(A) I/We have agreed to act as Trustee/s of:

[NAME OF TRUST] \_\_\_\_\_  
(the "Trust").

(B) I/We have agreed to appoint ACIS NOMINEES PTY LTD ACN 146 588 767 to be my/our attorney to execute the Trust Deed of the Trust.

(C) The Trustee/s is/are not in the process of acquiring nor have I/we acquired any interest in any businesses or properties relevant to the Trust.

THE TRUSTEE/S CONSTITUTE ACIS NOMINEES PTY LTD ACN 146 588 767 to be my/our true and lawful attorney to enter into and sign the Trust Deed for the Trust between ACIS SETTLEMENTS PTY. LTD. ACN 081 961 391 as Settlor and the Trustee/s.

I/WE FURTHER APPOINT ACIS NOMINEES PTY LTD ACN 146 588 767 to my/our attorney for the purpose of receiving the Settlement Sum (as defined in the Trust Deed) from the Settlor.

THE TRUSTEE/S CERTIFIES/CERTIFY to the Attorney that I/we are not in the process of acquiring nor have I/we acquired any interest in any businesses or properties relevant to the Trust.

This Power of Attorney is executed and delivered DATED:        /        /

**INDIVIDUAL TRUSTEE/S**

SIGNED, SEALED AND DELIVERED by the Trustee/s )  
in the presence of: )

\_\_\_\_\_ )  
\_\_\_\_\_ )

..... )  
Signature of Witness ) \_\_\_\_\_

\_\_\_\_\_ )  
\_\_\_\_\_ )

..... )  
Full name of Witness ) \_\_\_\_\_

**CORPORATE TRUSTEE** (NOTE: Must be a registered company i.e. this document cannot be executed prior to registration).

EXECUTED AS A DEED by the Trustee: )  
\_\_\_\_\_ )

\_\_\_\_\_ ) Sole Director/Director

\_\_\_\_\_ )

\_\_\_\_\_ ) Director/Company Secretary