



# Discretionary Trust Order Form

Name	<input type="text"/>	Phone	<input type="text"/>
Firm	<input type="text"/>	E-mail	<input type="text"/>

**IMPORTANT: Please refer to page 2 for critical information regarding the establishment of your trust.**

## Name of Trust

Trust is to be settled (select):  Direct OR  Power of Attorney (see over) If no nomination is made, the trust deed will be signed under Power of Attorney

Meeting Address

Trustee Address

Settlor:  
Acis Settlements or

Settlement Sum:  
\$10.00 or

## Trustees

**IMPORTANT: Full, verifiable names are required.**

Corporate Trustee (if applicable)

ACN  TFN\*

Officer Names and Roles (First Officer listed to be Chairman, first 2 Officers to be signatories)	<input type="text"/>	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
	<input type="text"/>	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
	<input type="text"/>	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary
	<input type="text"/>	<input type="checkbox"/> Director	<input type="checkbox"/> Secretary

Individual Trustee/s (First person listed to be Chairman)	<input type="text"/>	TFN* <input type="text"/>
	<input type="text"/>	TFN* <input type="text"/>

\*Providing TFNs is optional, but will benefit ABN/TFN applications.

## Appointor/s & Beneficiaries

Appointor/s of Trust\*

Alternative Appointor/s\* (if any)

\*The roles of the Appointor/Alternative Appointor are described on page 2 of this order form.

Primary Beneficiaries

**Secondary Beneficiaries** Relatives of Primary Beneficiaries are included (i.e. spouses, parents, brothers, sisters, all children, grandchildren, nieces, nephews, cousins, uncles and aunts) and the executor, in that capacity only, of any deceased beneficiaries.

**Tertiary Beneficiaries** Companies and trusts in which any of the previous beneficiaries are interested are included, as are religious, tax exempt or charitable institutions.

Default Beneficiaries

If no nomination is made there will be no Default Beneficiaries (i.e. takers in default).

## Additional Information/Special Instructions

  
  

Please return this completed form to [acis@acis.net.au](mailto:acis@acis.net.au), Freefax 1800 655 556 or Locked Bag 1, Fortitude Valley Q 4006

# Discretionary Trust Order Form

## Payment Details

Please debit the following card details by the amount of \$

Type of Card	<input type="checkbox"/> Visa	<input type="checkbox"/> Mastercard	<input type="checkbox"/> Diners Club*	<input type="checkbox"/> Amex*	<small>*3% SURCHARGE APPLIES</small>
Card Number	<input type="text"/>			Expires	<input type="text"/>
				CCV	<input type="text"/>
Name on Card	<input type="text"/>			Signature	<input type="text"/>

## Establishment of your Trust

Acis provides trust establishments in 3 ways:

- 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.
- 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 and settlement stamp duty may (or may not) apply in that jurisdiction.
- Power of Attorney** - Acis Settlements Pty. Ltd. acts as the Settlor and our representative 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. 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:

- 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.
- If you provide the Settlor (and your instructions do not specify a subsequent date), the Trust Deed will be supplied undated.
- 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 assets. If the trust deed is not properly executed:

- the trust may be improperly established, not established at all or invalid;
- adverse taxation (particularly CGT) and stamp duties issues may arise.

## Roles within our Discretionary Trust

**Appointor/Alternative Appointor** - The Appointor has the right to nominate additional beneficiaries and to appoint and remove trustees. The Alternative Appointor will step into the Appointor's position if the Appointor has died or is otherwise unable to act for any reason and it becomes difficult to exercise the powers of appointment. It is not mandatory to nominate an Alternative Appointor.

**Secondary Beneficiaries/Tertiary Beneficiaries** - These are relatives of the Primary Beneficiaries and include children, grandchildren, stepchildren, brothers and sisters, nieces and nephews, spouses and parents of the Primary Beneficiaries. This class also includes the trustees of the estates of any of these relatives who may be deceased.

**Tertiary Beneficiaries** - These are companies and trusts that any other beneficiaries (and their relatives) may have interests in or may be directors/trustees of. This class also includes charities.

**Default Beneficiaries** - These are the parties who are the takers in default of an appointment of income or capital by the Trustee. If none are nominated the trust will have no Default Beneficiaries. Default Beneficiaries may be nominated after the establishment of the trust. Further information on this topic may be found at <http://www.acis.net.au/resource-content.php?page=valid-by-default>.



# Power of Attorney

I/We (Insert ALL Names) \_\_\_\_\_  
\_\_\_\_\_

(the "Proposed 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 the engagement of Acis Nominees Pty Ltd ACN 146 588 767 to establish the Trust.

(C) 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.

THE PROPOSED 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 Proposed Trustee/s.

I/WE FURTHER APPOINT Acis Nominees Pty Ltd ACN 146 588 767 to be my/our attorney for the purpose of receiving the Settlement Sum (as defined in the Trust Deed) from the Settlor.

This Power of Attorney is signed, sealed and delivered DATED:     /     /

## Individual Trustee/s

SIGNED by:

\_\_\_\_\_  
\_\_\_\_\_

Proposed Trustee

\_\_\_\_\_  
\_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

Proposed Trustee

\_\_\_\_\_  
\_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

Proposed Trustee

\_\_\_\_\_  
\_\_\_\_\_

Witness

\_\_\_\_\_  
\_\_\_\_\_

Proposed Trustee

\_\_\_\_\_  
\_\_\_\_\_

Witness

## Corporate Trustee

Executed by the Officers of the Proposed Trustee:

\_\_\_\_\_  
\_\_\_\_\_

Director     Sole Director     Sole Secretary

\_\_\_\_\_  
\_\_\_\_\_

Director     Secretary

This is an important document and must be retained by the trustee/s.

Please return this completed form to [acis@acis.net.au](mailto:acis@acis.net.au), Freefax 1800 655 556 or Locked Bag 1, Fortitude Valley Q 4006