

Deed

MLC Super Fund Deed of Amendment

NULIS Nominees (Australia) Limited

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MLC Super Fund

Deed of Amendment

Date ▶ 25 OCTOBER 2023

Party **NULIS Nominees (Australia) Limited**
ABN 80 008 515 633 of '30 The Bond', Level 3, 30 Hickson Road,
Millers Point NSW 2000
(Trustee)

Recitals

- 1 The MLC Super Fund ABN 70 732 426 024 (**Fund**) was established by a trust deed dated 9 May 2016 (**Original Trust Deed**).
- 2 The Original Trust Deed was amended on 16 June 2016, 26 June 2016, 20 December 2017, 28 May 2021 and 23 May 2023. The Original Trust Deed together with the amendments is referred to as the **Trust Deed**.
- 3 The Trustee is the current trustee of the Fund.
- 4 Clause 14.1 of the Trust Deed provides that:
"The Trustee may by deed either prospectively or retrospectively change, amend or replace all or any of the provisions of this deed including clause 14.1"
- 5 The Trustee wishes to amend the Trust Deed in the manner set out in this Deed of Amendment.

This Deed of Amendment witnesses as follows:

Operative provisions

1 Amendment to Trust Deed

With effect on and from the 30 November 2023, the Trust Deed is amended as follows:

- (a) In clause 1.1, insert the following definition:

Generic MySuper Member means a member of the Insignia Financial Super Plan in the Plum Division who has a beneficial interest in the MySuper product (unique identifier 70732426024883).

- (b) In clause 2.6(b)(7), insert the following words after the words and figures “set out in APRA modification declaration No. A5 of 2023 dated 14 April 2023;”:

or

- *the person is a Generic MySuper Member and their beneficial interest in the MySuper product (unique identifier 70732426024883) is replaced with a beneficial interest in the NAB Staff MySuper product (unique identifier 70732426024770) in the circumstances set out in APRA modification declaration No. A11 of 2023 dated 17 October 2023;*

2 Saving provision

Notwithstanding any other provision in this Deed of Amendment to the contrary, if any amendment contained in this Deed of Amendment is not consistent with, or breaches the restrictions in, the amendment power contained in clause 14.1 of the Trust Deed, that amendment shall be of no effect and the provisions purported to be amended shall continue to be determined in accordance with the provisions of the Trust Deed as they existed prior to the date of the amendment.

3 No re-settlement of trust

The Trustee declares that it is not, by this Deed of Amendment, re-settling the Fund or declaring a new trust and does not cause the transfer, vesting or accruing of property in any person.

4 Governing law and jurisdiction

- (a) This Deed of Amendment is governed by the law applicable in New South Wales.
- (b) The Trustee irrevocably submits to the non-exclusive jurisdiction of the courts of New South Wales.

Signing page

Executed as a deed

Trustee

Signed sealed and delivered by
**NULIS Nominees (Australia)
Limited ABN 80 008 515 633** in
accordance with section 127 of the
Corporations Act 2001 (Cth):

sign here ▶ 
Company Secretary/Director

print name ARCANELLA MATERA

sign here ▶ 
Director

print name LINDSAY SMARTT

