

**DOCUMENT & INFORMATION REQUIREMENTS  
FOR UNIT TRUST TRANSFERS**

**REQUIRED DOCUMENTS:**

- Copy signed & stamped Unit Trust Deed and all amendments/appointments Enclosed:   
*Note: See information contained under 'Missing Documents' if not all Trust deeds can be provided*
- Company report (If Trustee is a company) Enclosed:  Not applicable:
- Copy of current member accumulation account/benefit statement showing value of member balance Enclosed:
- Original Certificate(s) of Title Enclosed:
- Original mortgage discharge or caveat withdrawal forms Enclosed:
- Copy current Council Rates (not an instalment notice) Enclosed:
- Copy current Water Rates Enclosed:
- Copy current Land Tax Certificate Enclosed:  Not applicable:
- Copy current Owners Corporation Levy Notice Enclosed:  Not applicable:
- Copy Market appraisal/valuation. *(Should not be more than 2 months old)* Enclosed:
- Copy current Lease documents Enclosed:  Not applicable:
- If documents are to be signed by an attorney, provide original Power of Attorney or certified copy Enclosed:  Not applicable:

**THE PROPERTY:**

1. Address of property:
2. Title Particulars (Volume & Folio details):  Or the original Title Certificate(s) with any relevant mortgage discharge or caveat withdrawal forms.
7. Brief description of the property and improvements:  
(age, property condition, nature of building & improvements, made from timber/brick/brick veneer etc):
8. Since the Trustee became owner has the property been subdivided/consolidated? No:  Yes:

**THE TRUST:**

10. Has the current trustee always been trustee of the Trust? No:  Yes:  If no, please provide details of prior changes, names & dates. Provide copies of relevant Minutes of Meeting and/or Deeds of Appointment.
11. Has the trustee held the property in any other capacity either before or after the property first became an asset of the Trust?  
No:  Yes:  If yes, provide details.

12. Has the Trust made previous distributions of property to unit holders? No:  Yes:  If yes, provide details of the assets transferred and to whom.

13. Is the Trust registered for GST? No:  Yes:  See accompanying Information Notes - Transfers of Land from UTs

15. When did each unit holder receiving the property become a unit holder of the Trust?

**PROPERTY TRANSFER INFORMATION:**

17. Effective date of transfer:  /  /  this may have CGT and other implications. It is from this date that the unit holder as new owner is entitled to receive the rent. To avoid rental apportionment, it would be convenient to make the transfer date on which rental is paid.

18. What proportion of property is being transferred – whole or only part of it?  If part only, what proportion?

19. Name(s), address(es) and date(s) of birth of unit holder receiving the property:

20. If there is more than one unit holder/transferee, the proportion and value each unit holder is receiving:

21. Name and address of property manager (if applicable) Not applicable:

22. Address to which all future notices concerning the property are to be sent (you, your property manager or some other person if so desirable):

23. For Minutes of Meeting purposes, the date and address where and when the parties resolved to transfer the property:

Date:  /  /  Address:

24. If there is more than one unit holder, what is the relationship between each of the unit holders:

25. Has any unit holder paid any amount to the Trust or to any other person in respect of the transfer?

No:  Yes:  If yes, provide details.

26. Is the transfer part of a sale or other arrangement under which there exists consideration or value given for the transfer?

No:  Yes:  If yes, provide details.

27. Did any unit holder/transferee have a loan account which the Trust under which the Trust owed money to the unit holder?

No:  Yes:

If Yes, 27.2 Did the transfer relate to forgiveness of the whole or any part of the loan account? No:  Yes:

If Yes, 27.2.1 provide loan statements before and after loan forgiveness.

**MORTGAGES AND CHARGES:**

28. Is there a registered charge on the Personal Property Securities Register? No:  Yes:

If Yes, has the bank/lender agreed to release the property from the charge? No:  Yes:

29. Is/was there a mortgage (whether registered or unregistered) immediately before the transfers to the beneficiary?

No:  Yes:  If Yes:-

29.1 Provide evidence of the amount owing with that mortgage immediately before and after the transfer (account statement, letter from bank/lender)

29.2 Was the mortgage liability assumed by the unit holder? No:  Yes:

If Yes, 29.2.1 Provide evidence of the new mortgage amount

29.2.2 How were the funds obtained and new mortgage used?

If No, 29.2.3 How was the mortgage liability reduced or discharged?

29.2.4 Provide evidence of the source of funds (eg. bank/financial statements)

**ADDITIONAL INFORMATION:**

31. If no lease but property is rented, provide details of leasing arrangements including details about tenant, rental amount, when rent adjusted and how, Lease term and any special provisions

33. In relation to the rental information of the property, is/will the unit holder(s)/transferee be registered for GST as at the effective? date the property is transferred? No  Yes:

34. Have the parties sought advice from their accountant/financial advisers regarding the CGT consequences, if any, associated with the property transfer? No  Yes:

If No, no steps should be taken by the parties to transfer the property until that advice has been sought and provided.

**MISSING DOCUMENTS:**

If you have checked a box that documents are 'not enclosed', you will need to provide copies in order for the property transfer documentation to be completed by MJHC Legal.

In assessing whether a transfer of property from a unit to beneficiaries is eligible for duty exemption, the State Revenue Office needs to sight copies of signed and dated Trust Deeds including Deeds of Variation and any Deeds of Trustee Appointment. If there are any missing documents, it will be necessary for MJHC Legal to prepare additional supporting material and an additional fee will apply.

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