

**DOCUMENT & INFORMATION REQUIREMENTS  
FOR MEMBER TO SMSF TRANSFERS**

**REQUIRED DOCUMENTS:**

- Copy signed & dated SMSF Deeds and all amendments/appointments Enclosed:   
*Note: See information contained under 'Missing Documents' if not all SMSF deeds can be provided*
- Company report (If Trustee is a company) Enclosed:  Not applicable:
- Copy member fund balance statement 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):
3. Brief description of the property and improvements:  
(age, property condition, nature of building & improvements, made from timber/brick/brick veneer etc):
4. Since the Trustee became owner has the property been subdivided/consolidated? No:  Yes:

**THE SUPERANNUATION FUND:**

5. Is the Fund registered for GST? No:  Yes:  **See accompanying Information Notes - Transfers of Land to SMSFs**
6. When did each member transferring the property become a member of the Fund?
7. What is the value of the member's fund balance for each member transferring the property?

**PROPERTY TRANSFER INFORMATION:**

8. Effective date of transfer:  /  /  this may have CGT and other implications. It is from this date that the Trustee 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.

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

10. Name(s), address(es) and date(s) of birth of member(s)/transferor transferring the property:

11. If there is more than one member transferor, the proportion and value each member is transferring:

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

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

14. For Minutes of Meeting purposes, the date and address where and when the parties resolved to transfer the property:  
Date:  /  /  Address:

15. If there is more than one member transferring, what is the relationship between each of the members:

16. Has the Fund paid any amount to any member/transferor or to any other person in respect of the transfer?  
No:  Yes:  If yes, provide details.

17. 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.

**MORTGAGES, CHARGES AND CAVEATS:**

18. Is there a mortgage (whether registered or unregistered) affecting the property? No:  Yes:

19. Is there a caveat registered against the title to the property? No:  Yes:

20. Has the member(s) ever charged their interest in the property in favour of some other person which gives them rights over the property?  
No:  Yes:

If Yes, details of release of the charge are provided Enclosed:  Not enclosed:

**ADDITIONAL INFORMATION:**

21. 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

22. In relation to the rental information for the property, is the member(s) registered for GST? No:  Yes:

**See accompanying Information Notes - Transfers of Land to SMSFs as applicable**

23. Have the parties sought advice from their accountant/financial advisors 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 member to their superannuation fund is eligible for duty exemption, the State Revenue Office needs to sight copies of signed and dated Deeds of Establishment, Deeds of Amendment 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.

Liability limited by a scheme approved under Professional Standards Legislation