



RSELEE 02/20

ELECTION FORM

ACTING TRUSTEE AUTHORISED TO OPERATE AN ELIGIBLE ROLLOVER FUND

This is the approved form for an Acting Trustee RSE licensee to make elections to be authorised under section 139B of the Superannuation Industry (Supervision) Act 1993 to operate an eligible rollover fund.

All questions in the form must be completed before it can be accepted.

PART A – GENERAL INFORMATION

Name of Acting Trustee

ABN of Acting Trustee

Name of RSE (ERF)

ABN of RSE (ERF)

End of Part A



PART B – ELECTIONS

B1 – Transfer of amounts held in Eligible Rollover Fund

In accordance with s. 242B of the SIS Act, the Acting Trustee elects:

- (a) to take the action required under the prudential standards in relation to amounts held in the eligible rollover fund, if the authority to operate the fund as an eligible rollover fund is cancelled under subsection 242J(1); and
- (b) to do so before the end of a period of 90 days beginning on the day on which notice of the cancellation is given to the RSE licensee under subsection 242J(3)

Check the box **Yes** or **No**

B2 – Election not to charge members of eligible rollover fund for payment of conflicted remuneration

In accordance with s. 242C of the SIS Act, the Acting Trustee elects:

- (a) that, if the authority is given, the RSE licensee will not charge any member of the fund a fee all or part of which relates directly or indirectly to costs incurred by a trustee or the trustees of the fund:
 - (i) in paying conflicted remuneration to a financial services licensee, or a representative of a financial services licensee; or
 - (ii) in paying an amount to another person that a trustee of the fund knows, or reasonably ought to know, relates to conflicted remuneration paid by that other person to a financial services licensee, or a representative of a financial services licensee.

Check the box **Yes** or **No**

End of Part B



PART C – ATTESTATION

The Acting Trustee attests that each of the statements (i) and (ii) in this attestation are true and correct:

(i) Information provided

The Acting Trustee attests that the information provided as part of this election complies with the relevant sections of the SIS Act and the relevant prudential standards.

In addition, the Acting Trustee confirms that any change to the information provided in this election will be provided to APRA as soon as practicable after the information in the election ceases to be correct, together with a statement explaining the rationale for all changes.

(ii) Further information

The Acting Trustee acknowledges that APRA may require more information and agrees to promptly provide any information that APRA considers necessary for the election to be fully considered.

If the Acting Trustee is a body corporate, at least two directors, must sign the attestation.

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End of Part C



GLOSSARY

Acting Trustee	An RSE Licensee that has been granted an Acting Trustee class of RSE licence under s. 29D of the SIS Act.
APRA	Australian Prudential Regulation Authority.
conflicted remuneration	Conflicted remuneration as defined in ss. 242C(2) and (3) of the SIS Act
ERF	Eligible rollover fund
representative	Representative as defined in s. 242C(2) of the SIS Act
RSE	Registrable superannuation entity as defined in s. 10 of the SIS Act.
RSE licence	Registrable superannuation entity licence granted under s. 29D of the SIS Act.
RSE Licensee	A constitutional corporation, body corporate or group of individual trustees that holds an RSE licence granted under s. 29D of the SIS Act.
SIS Act	Superannuation Industry (Supervision) Act 1993.



NOTES

Penalties for false information

Acting Trustees should note that giving false or misleading information is a serious offence (see s.136.1, s.137.1 and s.137.2 of the *Criminal Code Act 1995*).

Disclosure

Where information is disclosed to APRA as part of this application, APRA may in turn disclose that information in any of the circumstances permitted by s.56 of the *Australian Prudential Regulation Authority Act 1998*.

Is there a prescribed fee?

There is no fee for an Acting Trustee electing to operate an Eligible Rollover Fund under s, 139B of the SIS Act.

Where to lodge the election form

Acting Trustees are encouraged to lodge this election form electronically to their APRA contact

Alternatively, the election form can be mailed to APRA:

Australian Prudential Regulation Authority
GPO Box 9836
In all capital cities (except Darwin, Hobart and Perth)

Enquiries

Telephone 1300 55 88 49

Email info@apra.gov.au

Website www.apra.gov.au

End of Form.