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Your Reference: Family Trust Deed – Change Trust Name
Enquiries: Adj Professor, Dr Brett Davies
Direct Telephone: 1800 141 612
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Tuesday, 16 March 2022

Zhang Holdings Pty Ltd
100 Gloucester Avenue
Sydney NSW 2000
Australia

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[/family-trust-trust-name-change-](#)

[intro/](#) – telephone us, we can help

you complete the questions.

Adj Professor, Dr Brett Davies – Partner

Dear Trustee,

Updating the Save On Tax Family Trust

Thank you for instructing us to prepare the attached Family Trust – Change of Trust Name Deed.

How to print your document

When you are satisfied that the document is according to your instructions please:

1. Download the PDF (Don't print directly from the browser.)
2. Print the PDF Printer settings: A4 paper
100% scale (turn off 'fit to page')
3. Print single sided (NOT duplex).
4. Once signed keep this covering letter with the document.
(However, do not staple the covering letter to the document)

We confirm that we act for:

Zhang Holdings Pty Ltd ACN 854 116 489
100 Gloucester Avenue, Sydney NSW 2000, Australia

(Trustee)

as Trustee of the Da Zhang Family Trust (Trust).

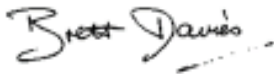
The Deed of Variation updates the name of your Family Trust. The name of the Family Trust is usually just a 'nick-name'. Unlike, say a Company Name, a business name (that is registered) or a human name (that has a birth certificate) the Family Trust name is not usually registered anywhere. It is just used by you and your accountant to help identify your Family Trust.

We make special mention of the enclosed Minute regarding you needing to hold and retain, forever, original deeds. If you do not retain original signed deeds, you will not be able to open bank accounts or borrow money. Copies are not good enough. Ensure that

both you and your accountant retain original deeds. They are precious and usually impossible to replace.

This now concludes the matter. Thank you for your instructions.

Yours sincerely,



Adj Professor, Dr Brett Davies, CTA, AIAMA, BJuris, LLB, LLM, MBA, SJD
National Taxation Partner
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This is a sample of the document you are building on our law firm's website.

Depending how you answer the questions the document and our letter may be different.

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*Dr Brett Davies
Partner
Legal Consolidated Barristers & Solicitors*

Resolution by the Trustees to change the Trust Name

Held at

Onday of20.....

Zhang Holdings Pty Ltd ACN 854 116 489
100 Gloucester Avenue, Sydney NSW 2000, Australia

Quorum: It was noted that a quorum was present at the meeting.

Notice of Meeting: It was noted that all Trustees received notice of this meeting and that all consent to the meeting being held and waive any requirement for any specified period of the notice of the meeting. It was resolved unanimously that the meeting is validly constituted regardless of any failure to give notice as required under any rules, constitutions or the *Corporations Act*.

Person chairing the meeting: It was resolved that the person signing these minutes be the person chairing the meeting (**Person chairing the meeting**).

Upon tabling the fully executed Deed of Variation (in duplicate) that varies the Da Zhang Family Trust IT WAS RESOLVED that:

1. the Trustee adopts the duly executed Deed of Variation to amend the Da Zhang Family Trust
2. authority is given to allow the Deed of Variation to be provided to any relevant lending institutions, as required
3. the Deed of Variation be lodged for stamp duty, if required
4. because of its value and that banks will generally not open bank accounts or provide loans if the bank does not cite original Deeds, the two duly executed Deeds of Variation were protected and stored as follows:
 - a. one Deed of Variation to the accountant
 - b. and the other Deed of Variation to be kept by the Trustee of the Da Zhang Family Trust in the secretary folder
5. the Trustee conducts an audit to ensure that it has original Deeds of the following
 - a. the Trust Deed that established the Trust
 - b. any subsequent deeds of variation
6. the Appointor being Michael Zhang and Emily Zhang consents to the Deed of Variation being so executed and adopted

Closure: There being no further business the meeting was declared closed.

Signed as a true and correct record of the meeting immediately after the meeting.

..... Person chairing the meeting

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Adj Professor, Dr Brett Davies - Partner



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Deed of Variation to Update the Da Zhang Family Trust (formerly known as the Save On Tax Family Trust) **Trust Name Update**

This Deed of Variation is made by:

Zhang Holdings Pty Ltd ACN 854 116 489
100 Gloucester Avenue, Sydney NSW 2000, Australia

(Trustee)

1. Background

1. The Save On Tax Family Trust was created by a deed dated [] settled by the Settlor being Daniel Dawson, together with [] (Deed).
2. The Trustee has examined the Trust Deed (or sought legal advice) and is satisfied that there is power to revoke, add to and vary the Trust Deed constituted by the Trust Deed.
3. The funds in the Save On Tax Family Trust have not vested in the Trustee.
4. The Trustee seeks to vary the Trust Deed from the date of [] on a date as otherwise stated by minute and there is consent of Michael Zhang and Emily Zhang by the Appointor.

There are many reasons why you may want to update or change your Family Trust Name:

- correct spelling errors (e.g. Smitth Family Trust)
- husband has died (e.g. Coral & Ted Smith Family Trust)
- wife has divorced you (e.g. Joanne and John Lee Family Trust)

2. Dictionary

Appointor Michael Zhang and Emily Zhang and persons appointed as appointor under the Trust Deed from time to time, including all references and other terms used for persons who control the Trustee and can appoint the Trustee and includes such expressions as Appointer, Principal, Guardian and Decider

3. Change of Name

1. The Trust Deed is currently called the Save On Tax Family Trust.
2. The Trust Deed has now changed its name to the Da Zhang Family Trust.
3. In all other respects, the Trust Deed remains unchanged.

4. Severing to reduce tax and stamp duty

1. The Trust Deed and this Deed of Variation is interpreted to reduce taxes, imposts, duties and stamp duty (including State and federal) (Taxes) and avoid any illegality. If any clause nonetheless fails to reduce Taxes or is illegal, it is severed, read down or fettered, as required, from the Trust Deed or Deed of Variation to the extent of the illegality or in the furtherance of the reduction of the Taxes.
2. The Trust Deed and this Deed of Variation is read down so that no mandatory taxation law, from time to time, is contravened that would lead to an unfavourable taxation position.
3. For land ownership registration requirements, including where there is a change of Trustee then all powers in the Trust Deed and this Deed of Variation are severed, read down or fettered, as required, and vesting restricted, as required to allow for minimal duty or stamp duty in the relevant jurisdiction.

5. What isn't varied?

All the other terms contained and implied in the Trust Deed remain in full force and effect.

6. Do we use the definitions in the Trust Deed?

Unless the context otherwise requires, the expressions and expressions of similar import contained in this Deed of Variation have the same meanings as in the Trust Deed. This Deed of Variation does not alter the rights or entitlements of any classes of the Beneficiaries.

7. Deed of Variation versus the Trust Deed

This Deed of Variation is supplemental to the Trust Deed within the meaning of the applicable Property Law Act. If any of the terms of the Trust Deed are inconsistent with the terms of this Deed of Variation, then the terms of this Deed of Variation prevail.

HOWEVER, this Deed of Variation in no way constitutes a resettlement of the Trust Deed or any part of the Trust Fund. If anything in this Deed of Variation would otherwise establish a resettlement of the Da Zhang Family Trust then the applicable words are read down so as not to constitute a resettlement.

8. When does this Deed of Variation take effect?

Unless otherwise stated in any minutes, this Deed of Variation takes effect on the date of this Deed of Variation.

9. Decision making in more than one place and Notices

1. This Deed of Variation may be executed in different locations by signing identical documents and all counterparts together constitute the Deed of Variation.
2. Meetings and decision making can be conducted in more than one place, by telephone, the Internet or other means.
3. Notices may be provided via the post or email.

10. Interpreting the Deed of Variation

In this Deed of Variation unless the context indicates a contrary intention:

- (a) headings are for convenience only and do not affect interpretation
- (b) a reference to a 'person' includes a reference to: individual; (wherever incorporated); body politic; association of persons (whether incorporated or unincorporated) partnership; trust; person in the capacity as trustee; person in the capacity as the Personal Representative of an estate and superannuation fund
- (c) the plural includes the singular and vice versa and a reference to a gender includes every other gender
- (d) a reference to the Deed of Variation includes a reference to the original deed, variation, novation, variation, supplemental deed or replacement from time to time
- (e) a reference to any party to this Deed of Variation includes such party and all permitted assigns

- name is not as clever as you first thought (e.g. Scrooge McDuck Family Trust)
- name may upset the ATO (e.g. Get out of Tax Family Trust)
- your parents may have died
- you may want to not be so obvious that the Family Trust is also a 'Service Trust' for your main business (e.g. Williams Service Trust)

- (f) a reference to laws in this Deed of Variation refers to those laws as amended or replaced as consistent with the overall purpose of the Deed of Variation and does not lead to an anomaly
- (g) a reference to any statute, or any subordinate legislation or instrument includes all statutes, subordinate legislation or instruments amending, modifying, consolidating, re-writing, re-enacting or replacing them and a reference to a statute includes all subordinate legislation and instruments made under that statute

Executed as a Deed on the day of 20

EXECUTED for and on behalf of
Zhang Holdings Pty Ltd
ACN 854 116 489

Member, by authority of its Directors in
accordance with section 127
Corporations Act 2001 (Cth)

Signature of Director or Secretary

Signature of Director (if a 2nd)

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