

I certify that this is a true copy of a copy of the AUFM Deed of Amendment: Altius Enhanced Cash Fund dated 10 December 2018.

LTV 25/9/24

Liesl Petter

271 Spring Street Melbourne Vic 3000

member Governance Institute of Australia.

Deed of Amendment

Altius Enhanced Cash Fund

(ARSN 606 111 166)

Australian Unity Funds Management Limited

ABN 60 071 497 115

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This amending deed

is made on 10 December 2018 by:

1. **Australian Unity Funds Management Limited**
(ABN 60 071 497 115) as Responsible Entity of the Altius Enhanced Cash Fund (ARSN 606 111 166)
(Trustee)

Recitals

- A. The Altius Enhanced Cash Fund (**Fund**) is a registered scheme and was established under a trust deed dated 28 May 2015 as amended by deed poll dated 12 May 2017 (**Constitution**).
- B. The Trustee is the responsible entity of the Fund.
- C. Under clause 38.4(a) of the Constitution, the responsible entity may by supplemental deed modify, add to, delete from or replace the Constitution.
- D. Section 601GC of the *Corporations Act 2001 (Cth)* as modified by ASIC Class Order 09/552 (**section 601GC**) provides for the modification or the repeal and replacement of the Constitution by the responsible entity if the responsible entity reasonably considers the change will not adversely affect members' rights and a meeting of members is unable to be held because the quorum requirements in either section 252(2) or the Constitution are not capable of being satisfied because the Fund has an insufficient number of members if, before the modification or the repeal and replacement, both sections 601GC(1AA)(a) and (b) of the *Corporations Act 2001 (Cth)* are satisfied.
- E. Before the date of this deed poll, the Trustee satisfied sections 601GC(1AA)(a) and (b) of the *Corporations Act 2001 (Cth)*.
- F. The Constitution is accordingly modified as provided in this deed poll.

This deed witnesses as follows:

1 Definitions and interpretation

1.1 Definitions

Unless the contrary intention applies, a word or phrase defined in the Constitution has the same meaning in this deed poll.

1.2 Interpretation

Clauses 1.2, 1.3 and 1.4 of the Constitution applies to this deed poll as if set out in full in this deed poll.

2 Operation of this deed poll

This deed poll takes effect on and from the later of:

- (a) The date on which this deed poll is lodged with ASIC pursuant to section 601GC(2) of the *Corporations Act 2001 (Cth)*; and
- (b) The date on which ASIC amends the record of registration of the Fund to include as the name of the Fund, the **Australian Unity Sustainable Enhanced Cash Fund**.

3 Amendment to the Constitution

3.1 Amendment

The Constitution is amended by:

- (a) Replacement of all references to 'Altius Enhanced Cash Fund' and 'Altius Enhanced Income Fund' in the Constitution with 'Australian Unity Sustainable Enhanced Cash Fund'.

3.2 Provisions that have not been amended

- (a) This deed poll operates only to modify the Constitution as set out in clause 3.1, it does not re-settle the Fund or declare a new fund and does not cause the transfer, vesting or accruing of property to any person.
- (b) For the avoidance of doubt, clauses 2.1, 2.2 (except for the substitution of the name of the Fund), 2.3, 2.5, 2.6, 2.7, 2.8 and 3 of the Constitution are not modified, replaced, amended or otherwise affected in any way by this deed poll.

3.3 Acknowledgement

The Trustee acknowledges that this deed is issued in accordance with the Constitution.

4 General

4.1 Deed is supplemental


This deed poll is supplemental to the Constitution.

4.2 Governing law and jurisdiction

This deed poll is governed by the law of the State of Victoria, Australia.


Executed in Melbourne, Victoria as a deed poll:

Executed by
Australian Unity Funds Management Limited
in accordance with section 127 of the *Corporations Act 2001(Cth)*:



Secretary/~~Director~~
Melinda Honig
Company Secretary

Name (please print)



Director
Rohan Mead
Director

Name (please print)