

Wingecarribee Community Foundation Trust Amending Deed

Wingecarribee Community Foundation (ACN 098
283 213)

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Wingecarribee Community Foundation Trust Amending Deed

Date ▶ 28 May 2009

By PETER EVANS

Trustee

The Southern Highlands Foundation

ACN 098 283 213 of Level 1, 24 Bendooley street, Bowral,
NSW, 2576

(Trustee)

Background

- 1 The trust known as the Wingecarribee Community Foundation Trust (**Trust**) was established by a trust deed dated 1 November 2001 (as amended) (**Trust Deed**).
 - 2 The Trustee changed its name from Wingecarribee Community Foundation to The Southern Highlands Foundation on or about 20 November 2008.
 - 3 The Trustee is the trustee of the Trust.
 - 4 Under clause 12 of the Trust Deed, the Trustee may, subject to certain restrictions and any approval required by law, by deed replace or amend the Trust Deed.
 - 5 The Trustee wishes to amend clause 1 of the Trust Deed so that the name of the Trust be changed to "Southern Highlands Foundation".
 - 6 The Trustee considers that the amendments in this deed are consistent with the power to amend the Trust Deed.
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This deed witnesses that:

1 Definitions and interpretation

1.1 Definitions

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

1.2 Interpretation

Clause 2.1 of the Trust Deed applies to this deed.

2 Amendment of the Trust Deed

2.1 Amendment

The Trust Deed is amended as follows:

Clause 1: Amend clause 1 by replacing the words "*Wingecarribee Community Foundation*" with the words "*Southern Highlands Foundation*".

2.2 Effective date

The amendments to the Trust Deed are to take effect from the date of this deed.

2.3 Amendments not to affect validity, rights, obligations

- (a) The amendments to the Trust Deed do not affect the validity or enforceability of the Trust Deed.
- (b) Nothing in this deed:
- (1) amends the declaration of trust in clause 3 of the Trust Deed;
 - (2) constitutes an amendment prohibited by 12(a) or 12(b);
 - (3) prejudices or adversely affects any right, power, authority, discretion or remedy arising under the Trust Deed before the date of this deed; or
 - (4) discharges, releases or otherwise affects any liability or obligation arising under the Trust Deed before the date of this deed.

2.4 Acknowledgement

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

3 General

3.1 Governing law and jurisdiction

- (a) This deed is governed by the laws of New South Wales.

Executed as a deed poll

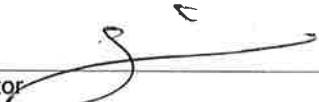
Trustee

Signed sealed and delivered by
The Southern Highlands Foundation
by

sign here ▶ 

Company Secretary/Director

print name PETER EVANS

sign here ▶ 

Director

print name LUCY BAINGER

- (b) The Trustee irrevocably submits to the non-exclusive jurisdiction of the courts of New South Wales.