



two indispensable e-guides to SMSF borrowing.

The super gearing guides every accountant and financial planner needs to own.

Two books, one goal. Clarity.



As legal advisers to the superannuation industry we have spent a lot of time researching, evaluating, analysing and considering how the gearing law operates. We've had to look at a relatively small section of the SIS Act from every possible vantage point in order to advise a multitude of funds and their advisers on how to comply with s.67A while gaining maximum benefit from it.

This can be heavy going for the uninitiated. It soon became obvious that a SMSF guidebook would be really useful for accountants and financial planners - a roadmap that didn't get bogged down in legalese, and clearly outlined the fundamental principles of SMSF gearing.

The logical step was then for our professional SMSF team to write such a guide...

We wrote the e-book.
Two of them, to be precise.

The first volume of the **Guide to SMSF Borrowing** begins the journey for those that need a ready reference to the basics of a super fund gearing.

It is an everyday workbook to assist in deploying a compliant super fund borrowing and takes the reader through the 5 basic elements of a super gearing and the 15 common steps in the transaction.

This volume also provides checklists, an Australia-wide stamp duty reference table, and a guide for property conveyancers who may not be experts in superannuation but need to appreciate the issues as part of the conveyancing process.

In the second volume we tackle some of the harder questions – the finer points of the borrowing law and how it relates to many of the other areas of necessary superannuation compliance.

Advisers may well come up against these difficult issues from time to time and need a ready problem solver.

SMSF gearing demystified. Yes, really.

As general background, the SIS Act clarifies the legality of superannuation funds investing, not only in instalment warrants, but also on a more generally geared basis. An SMSF may gear the acquisition of an investment providing:

- The borrowing is used to acquire the investment asset
- The asset is held on trust for the fund by an appropriate trustee
- The fund has the right to acquire the asset through the payment of instalments
- The lender's recourse is only against the asset and not against the fund
- The asset is one that the SMSF would normally be permitted to acquire
- The deed permits all aspects of the transaction.

Our Guides explain the relationship between the regulatory and purely legal frameworks, and the extensive opportunities to maximise your client's super investment.

Building SMSF knowledge can significantly build client wealth.

We **leave no SMSF stone unturned.**

Volume I covers The Process of SMSF Borrowing, Fifteen Steps in a Typical Borrowing, Why Borrow through an SMSF, Essential Terms of a Holding Trust, Related Party Loan Issues, Capital Gains Tax Issues, Buying Real Estate 'Off the Plan', Refinancing Issues, Replacement Asset Issues, Exchange Traded Options Over Shares and other useful information.

Volume II covers Taxation of the Holding Trust, Deemed Contribution Issues, Multiple Lenders, Recycling the Holding Trust, Building Allowances, Mortgages Requiring Life Insurance as Additional Security, Property Development Within a SMSF, The Impact of Member Bankruptcy on SMSF Borrowings - and more, including typical FAQs and an outline of services Townsends can offer to expedite your SMSF activity on behalf of your clients.

Written **and updated by our team of dedicated SMSF professionals.**

Townsends Business & Corporate Lawyers offer 30 years extensive experience in

providing legal assistance to the superannuation, estate planning and financial planning industries. Our Superannuation Division advises clients on all aspects of superannuation, including:

- Compliance and regulatory issues
- SMSF fund establishment
- Deed amendment and modification
- Fund reconstruction and winding up
- Pensions
- Investment structures and
- Investment strategy compliance.

Townsends Business & Corporate Lawyers also proudly support SUPERCentral, Australia's leading online SMSF deed and document supplier.



Order your e-books now at townsendslaw.com.au

Volume I - The Everyday Workbook	\$77.00
Volume II - The Problem Solver	\$99.00
Full set, Volumes I & II	\$132.00

Pricing includes the first year's annual update fee of \$44.00

The Guide to SMSF Borrowing will be updated regularly to reflect any changes in law, Regulations, Tax Office Guidelines or SMSF gearing practice throughout the year. All prices are gst inclusive.



Our **expertise is super.**

The professional team at Townsends Business & Corporate Lawyers have dedicated themselves to understanding the intricate requirements of the gearing rules to assist accountants, financial planners and their SMSF clients.

To make this investment development strategy work for you, our team can provide:

- Current superannuation deed review to ensure it is appropriate
- Deed amendment if required
- Holding Trust deeds
- Necessary investment strategy review and documentation
- Loan agreements/instalment warrants
- Mortgage documentation
- Advice letter for clients explaining the process
- Trustee minutes
- Stamp duty advice
- Income tax/capital gains tax advice.

For information on how we can help you to improve the borrowing capacity of your clients' super funds, please visit www.townsendslaw.com.au or call (02) 8296 6222.