

# NOTICE OF AMENDMENT TO CONSTITUTIONS

30 June 2017



A new tax regime applying to Managed Investment Schemes was enacted on 5 May 2016 under the *Tax Laws Amendment (New Tax System for Managed Investment Trusts) Act 2016* and related legislation (the **AMIT Regime**).

Sandhurst Trustees Limited (**Sandhurst**), as the responsible entity, has recently amended the constitutions of the funds to which this notice applies, to facilitate the funds' entry into, and compliance with, the new taxation regime.

## Which funds does this notice apply to?

Sandhurst Trustees Limited (Sandhurst) has recently amended the constitutions of the managed investment schemes listed below, collectively referred to as the '**Funds**' or individually as the '**Fund**'.

- Sandhurst Strategic Income Fund (ARSN 151 201 106)
- Sandhurst Conservative Fund (ARSN 100 172 665)
- Sandhurst Balanced Fund (ARSN 100 172 718)
- Sandhurst Growth Fund (ARSN 100 172 736)
- Bendigo Socially Responsible Growth Fund (ARSN 613 933 430)
- Bendigo Defensive Index Fund (ARSN 152 963 801)
- Bendigo Conservative Index Fund (ARSN 152 963 641)
- Bendigo Balanced Index Fund (ARSN 152 963 669)
- Bendigo Growth Index Fund (ARSN 152 963 687)
- Bendigo High Growth Index Fund (ARSN 152 963 721)
- Bendigo Diversified Fixed Interest Fund (ARSN 168 542 103)
- Sandhurst Industrial Share Fund (ARSN 090 472 325)
- Sandhurst Future Leaders Fund (ARSN 100 172 601)
- Sandhurst IML Industrial Share Fund (ARSN 095 143 294)
- Bendigo Global Share Fund (ARSN 119 357 890)
- Bendigo Defensive Wholesale Fund (ARSN 152 963 749)
- Bendigo Conservative Wholesale Fund (ARSN 100 445 609)
- Bendigo Balanced Wholesale Fund (ARSN 100 445 341)
- Bendigo Growth Wholesale Fund (ARSN 100 445 476)
- Bendigo High Growth Wholesale Fund (ARSN 152 963 767)

## What is this notice about?

This notice is to inform investors that Sandhurst has modified the constitution of each Fund in order to facilitate the operation of the Fund in the AMIT regime. ASIC has granted relief under *ASIC Corporations (Attribution Managed Investment Trusts) Instrument 2016/489* (**Relief Instrument**) to allow the responsible entity of a registered scheme to amend the scheme's constitution to enable the responsible entity to elect into the new regime without holding a members' meeting, provided certain conditions are met. These conditions include that a notice setting out a summary of the reasons for, and the effect of, the changes to the constitution is given to Fund members. This notice is issued in connection with the Relief Instrument.

## What are the reasons for and effect of the changes?

The constitutions of each Fund have been amended to facilitate the Fund's entry into, and compliance with, the AMIT Regime if Sandhurst makes the election.

Sandhurst believes that, by making these amendments and entering the AMIT regime, unit holders will have the following potential benefits:

- reducing the risk of potential double taxation for unit holders where mismatches arise between the amount distributed to unit holders and their share of the Fund's taxable income. The AMIT regime permits appropriate cost base adjustments where distributions are greater or less than the amount on which the unit holder is assessed for tax purposes;
- greater certainty regarding the tax treatment of the Fund and, in particular, its status as a 'fixed trust' for tax purposes;
- more certainty around the quantum and tax character of amounts distributed to unit holders; and
- the AMIT regime sets out the approach which the responsible entity can adopt to deal with under-or-over distributions of income from an earlier income year. This will provide additional certainty to Sandhurst (as the responsible entity) and to unit holders.

**Do I need to take any action?**

No, this notice is intended to inform you of the changes only.

**If you have any questions regarding this notice, please contact us on 1800 634 969.**