

QSL Fact Sheet

29 May 2017

QSL's Grower Pricing Agreement for Trust entities

Wilmar Growers who have Trust arrangements in place for their businesses are required to provide some information regarding the type of Trust they have and their trustee in order to complete QSL's Grower Pricing Agreement (GPA). The following Frequently Asked Questions cover some common queries regarding this information.

What Trust information is QSL seeking?

For Wilmar Growers who have Trust arrangements in place, QSL requires the GPA to be entered into by the trustee. As a result, when these Growers request a GPA, we ask them to advise whether their Trust has an individual or corporate trustee. If a corporate trustee is in place, we require the name of that corporate trustee and its ABN/ACN. We then cross-check the information provided with the Australian Business Register (<https://abr.business.gov.au/>).

Why is the GPA with the trustee and not the Trust?

The GPA must be a contract between QSL and a legal entity – and a Trust is not a legal entity. So in the case of Trusts, the legal entity used is the trustee of the Trust rather than the Trust itself.

What information will accountants need to provide?

Any Grower who is unsure of their Trust arrangements should contact their accountant to determine whether their Trust has an individual trustee or a corporate trustee. Where it is an individual trustee, QSL requires the name of the individual trustee (GPA signatory) who is authorised to enter into contracts on behalf of the Trust. Where it is a corporate trustee, QSL needs the company name and the ACN or ABN of the company. The Director or Directors of that company will then sign the GPA on behalf of the Trust.

Which entity does QSL use for pricing?

All pricing will be done under the ABN with whom QSL has the commercial relationship, not the contractual relationship – that is, the Trust. It is the ABN of the Trust that will be visible to growers when they log in to the QSL Direct portal.



Where and how does the GPA refer to the contracting entity (the trustee) and the Trust within the GPA?

The tables below illustrate how particular parts of the GPA look with reference to the trustee and the Trust.

Will accountants or growers have to complete these parts of the GPA?

No. The GPA will be sent to growers with these fields prepopulated based on information they have given to QSL about their Trust, including the ABN and the trustee type.

Where can I find help regarding this?

For further information on GPAs for Trust entities, please contact Shannon Guy on 0427 326 160.

FRONT PAGE/COVER

Field in GPA	Individual Trustee	Corporate Trustee
Entity	[GPA Signatory] as trustee for the [Trust name] trust	[Company name] as trustee for the [Trust name] trust
ABN/ACN	Will be blank	Could be ACN (9 digits) or ABN (11 digits) of Corporate Trustee (company)

SCHEDULE 1

Field in GPA	Individual Trustee	Corporate Trustee
Grower	[GPA Signatory] as trustee for the [Trust name] trust	[Company name] as trustee for the [Trust name] trust
ABN/ACN	Will be blank	Could be ACN (9 digits) or ABN (11 digits) of Corporate Trustee (company)

SCHEDULE 2 - FORM A

Field in GPA	Individual Trustee	Corporate Trustee
Entity Name	[GPA Signatory] as trustee for the [Trust name] trust	[Company name] as trustee for the [Trust name] trust
ABN/ACN	Will be blank	Could be ACN (9 digits) or ABN (11 digits) of Corporate Trustee (company)



SCHEDULE 2 – FORM B, PART A

Field in GPA	Individual Trustee	Corporate Trustee
ABN	ABN of Trust	ABN of Trust

SIGNATURE BLOCK (LAST PAGE)

Field in GPA	Individual Trustee	Corporate Trustee
Text above signature block	Signed by [GPA Signatory] as trustee for the [Trust Name] Trust	Executed in accordance with section 127 of the <i>Corporations Act 2001</i> by [Company Name] as trustee for the [Trust Name] Trust
Number of signature blocks	One	Two – one for Director and Director/Secretary signature, one for Sole Director and Secretary signature. Note: this is similar to the signature block for companies.