

## Annexure C

### AMENDED ANNEXURE A – TABLE OF PROPOSED PENALTIES

| SMSF  | Members   | Total \$ rolled over | Total \$ withdrawn   | Potential tax burden | Total \$ paid or lent | Total maximum      | Appropriate penalty |                  |                  |
|---|-----------|----------------------|----------------------|----------------------|-----------------------|--------------------|---------------------|------------------|------------------|
|   |           |                      |                      |                      |                       |                    | % of max            | \$ amount        |                  |
| Tuitufu Pahulu Kite Superfund                   | 4         | \$149,680.42         | \$149,680.00         | \$18,587.74          | N/A                   | \$1,440,000        | ~ 4%                | \$60,000         |                  |
| Uhatafe Superfund                               | 2         | \$46,763.21          | \$48,317.02          | \$13,217.84          | \$7,000               | \$720,000          | ~ 4%                | \$30,000         |                  |
| Orayenza Superfund                              | 1         | \$108,935.61         | \$111,240.00         | \$30,996.28          | \$4,300               | \$360,000          | ~ 14%               | \$50,000         |                  |
| Fonohema Superfund                              | 2         | \$121,921.80         | \$61,919.07          | \$32,451.72          | \$4,000               | \$720,000          | ~ 7%                | \$50,000         |                  |
| Kolofale & Tupou Superfund                      | 2         | \$50,759.34          | \$50,759.34          | \$15,067.06          | \$2,000               | \$720,000          | ~ 4%                | \$30,000         |                  |
| Atelea Maka Superfund                           | 2         | \$118,471.22         | \$134,012.00         | \$56,709.58          | \$4,000               | \$720,000          | ~ 7%                | \$50,000         |                  |
| Ngungutau & Aviga Superfund                     | 2         | \$75,736.24          | \$75,736.24          | \$22,127.26          | \$2,000               | \$720,000          | ~ 4%                | \$30,000         |                  |
| Patelasio Loloa Superfund                       | 2         | \$49,056.55          | \$49,781.78          | \$12,986.02          | N/A                   | \$720,000          | ~ 3%                | \$20,000         |                  |
| Tupou & Tolu Superfund                          | 2         | N/A                  | N/A                  | N/A                  | \$600                 | \$720,000          | ~ 1%                | \$10,000         |                  |
| Walter Superfund                                | 2         | \$120,413.08         | \$120,420.00         | \$35,697.07          | \$4,000               | \$720,000          | ~ 7%                | \$50,000         |                  |
| Taupeamuhu Superfund                            | 1         | N/A                  | N/A                  | N/A                  | N/A                   | \$360,000          | ~ 3%                | \$10,000         |                  |
| <b>Totals</b>                                   | <b>22</b> | <b>\$841,737.47</b>  | <b>\$801,865.45*</b> | <b>\$237,840.57*</b> | <b>\$27,900</b>       | <b>\$7,920,000</b> | <b>~ 5%</b>         | <b>\$390,000</b> |                  |
| Less ~ 30% discount for cooperation (\$120,000) |           |                      |                      |                      |                       |                    |                     |                  | \$270,000        |
| Less ~ 20% discount for totality (\$50,000)     |           |                      |                      |                      |                       |                    |                     |                  | \$220,000        |
| <b>Total penalties</b>                          |           |                      |                      |                      |                       |                    |                     | <b>~ 3%</b>      | <b>\$220,000</b> |

\* This includes the total tax shortfall, 25% administrative penalties and interest charges described in the SAF at [178].

\* The amounts withdrawn from the SMSF bank accounts which comprise amounts rolled over by the trustees from ARPA regulated superannuation funds totalled approximately \$781,734. The additional amounts withdrawn from the SMSF bank account comprise other funds deposited or credited to the bank accounts, such as interest.