

Declaration on Related Party Transaction



DECLARATION ON RELATED PARTY TRANSACTION

To be signed by each Director of entities tendering/providing contract services to Thunderbird Operations Pty Ltd

EXEMPTION: YOU ARE NOT REQUIRED TO FILL THIS FORM IF YOU ARE A;

1. **“LARGE BUSINESS”.** A Large Business must meet the following **2 out of 3 criteria:**
2. If you are an entity (whether individually or as part of a consolidated group) that has:
 - a. (1) consolidated revenue >\$50m for the financial year;
 - b. (2) consolidated gross assets >\$25m at the end of the financial year; or
 - c. (3) 100 or more employees at the end of the financial year.

*I/We,

of full age and having residential address at
do hereby affirm and declare the following on
behalf of:

.....
.....
.....
(The supplier)

[Note: If you are acting as an Agent for the supply, this form needs to be completed by the Principal Supplier or Landlord of a Property.]

1. That: [select at least one of the following]

<input type="checkbox"/>	This transaction to be entered between Thunderbird Operations Pty Ltd and the Supplier is a Related Party (“RP”) / Related Party Transaction (“RPT”) to Thunderbird Operations Pty Ltd and its related body corporate and their respective shareholders (collectively “TOPL”) pursuant to Australian Accounting Standard Board AAASB 124 and explanatory notes; or
<input type="checkbox"/>	The Supplier has a Key Management Personnel who is or has a close family member that is Key Management Personnel of TOPL; or
<input type="checkbox"/>	none of the above applies.

The particulars of RP / RPT are stated in Paragraph 2 below.

2. Particulars of RP / RPT are as follows: -

PARTIES TO TRANSACTION	DETAILS OF RELATED PARTY IN THE TRANSACTION	
TOPL and related companies / Related TOPL Personnel	Full Name	
	Designation	
	Relationship / Connection	
Supplier	Full Name	
	Designation	
	Relationship / Connection	

AND I/WE MAKE THIS SOLEMN DECLARATION conscientiously believing the same to be true and in the event of any false declaration made herein, TOPL and its related companies shall be entitled to terminate and withdraw the transaction/contract/award made in favour of the Supplier and to further exercise all or any of its rights and remedies under the law.

SIGNED BY THE ABOVE NAMED		IN THE PRESENCE OF	
Full Name		Full Name	
Designation		Designation	
Signature		Signature	
Date		Date	

Declaration on Related Party Transaction

Explanatory Note:

The guidance provided below must be construed in conjunction with any other applicable policies and procedures set by KMS.

1. What is a Related Party Transaction?

1.1. Related Party Transaction is a transfer of resources, services or obligations between a Reporting Entity (defined below) and a Related Party (defined below), regardless of whether a price is charged.

For the purposes of determining whether a Related Party Transaction has occurred, the following transactions or provision of services have been identified as meeting these criteria:

- (a) Financial benefits whether it is for KMP or “close family members” (defined below) of KMP
- (b) Lease agreements for housing rental
- (c) Lease agreements for commercial properties
- (d) Monetary and non-monetary transactions between the Reporting Entity and any business or associated entity owned or controlled by the Related Party (including family) in exchange for goods and/or services provided by/to TOPL (trading arrangement)
- (e) Sale or purchase of any motor vehicles, buildings or land owned by a Related Party, to a Reporting Entity that is not commercial at arm’s length
- (f) Loan Arrangements
- (g) Contracts and agreements for construction, supply, equipment lease, consultancy or services

The above is not intended to be an exhaustive list.

1.1. Reporting Entity refers to an entity of the KMS and its subsidiaries.

1.2. Related Party is a person that is related to the Reporting Entity. This would include the following:

As per paragraph 9 of AASB124 / Australian Accounting Standards Board

- (a) A person or a “close member of that person’s family” (defined below) is related to a Reporting Entity if that person:
 - i. has control or joint control of the Reporting Entity;
 - ii. has significant influence over the Reporting Entity; or
 - iii. is a member of the KMP of the Reporting Entity.
- (b) An entity is related to a Reporting Entity if any of the following conditions applies:
 - i. The entity and the Reporting Entity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others).
 - ii. One entity is an associate or joint venture of the other entity (or an associate or joint venture of a member of a group of which the other entity is a member).
 - iii. Both entities are joint ventures of the same third party.
 - iv. One entity is a joint venture of a third entity and the other entity is an associate of the third entity.
 - v. The entity is a post-employment benefit plan for the benefit of employees of either the Reporting Entity or an entity related to the Reporting Entity. If the Reporting Entity is itself such a plan, the sponsoring employers are also related to the Reporting Entity.
 - vi. The entity is controlled or jointly controlled by a person identified in (a).
 - vii. A person identified in (a)(i) has significant influence over the entity or is a member of the key management personnel of the entity (or of a parent of the entity).
 - viii. The entity, or any member of a group of which it is a part, provides KMP services to the Reporting Entity or to the parent of the reporting entity.

1.3. KMP or Key Management Personnel are those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including:

- (a) any director (whether executive or otherwise) of that Entity;
- (b) senior staff (Department Managers and above).

1.4. “Close member of that person’s family” or “close family member” Those family members who may be expected to influence, or be influenced by, that person in their dealings with KMS and include:

- (a) that person’s children and spouse or domestic partner;
- (b) children of that person’s spouse or domestic partner; and
- (c) dependants of that person or that person’s spouse or domestic partner.