

Dear Sirs,

I advise a large number of councils on tax (GST, FBT, Payroll Tax etc). Many of them have DGRs. Accordingly I am interested in the proposal for non govt to register as a charity. It seems to me that councils are non govt and would need to register their DGR as a charity. Is this correct?

The exposure draft generally uses the following phrase

“the public fund must be:

- (a) an \*Australian government agency; or
- (b) a \*registered charity; or
- (c) operated by an Australian government agency or a registered charity

In the ITAA 1997 Australian Government Agency is defined:

"Australian government agency" means:

- (a) the Commonwealth, a State or a Territory; or
- (b) an authority of the Commonwealth or of a State or a Territory.

A council is none of the above.

Regards

---

Pat McCarthy | Director  
**Genesis Accounting** | Chartered Accountants

