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Thursday, July 13, 2023

charitiesconsultation@treasury.gov.au

Submission: Building Community – deductible gift recipient status for community foundations

Sir/Madam,

The Ballarat Foundation is a community foundation supporting the Ballarat region and has been operating since 1983.

The foundation is listed as one of the 28 community foundations being considered for DGR listing in Treasury Laws Amendment (Measures for Consultation) Bill 2023.

The foundation wishes to raise the following two points regarding the draft legislations:

1. Community foundations such as ours are seeking to simplify the structures and reduce red tape, compliance and administrative costs and burdens and so urge the government not to require community foundations to have to establish a new trust or company in this legislation.

The current wording of the proposed Bill does not allow the community charity fund (CCF) to sit within a trust with broader charitable purposes and we strongly request this is possible in the same way the proposed Bill allows a CCF to sit within a corporate entity. This will reduce red tape by not requiring new trusts to be established.

2. The Bill does not seem to allow distributions to non-DGRs for DGR purposes or activities and this is an essential part of the application to the government to facilitate the role of community philanthropy, particularly relevant in rural and regional areas, but applicable everywhere. We request the Bill and Explanatory memorandum be amended to make this clear.

We greatly appreciate the government's moves to support responses to local issues through legislation which will enable community foundations such as ours to be more flexible and responsive in working with government and community to meet these needs. We ask for the above matters to be considered prior to finalising the Bill.

Sincerely

A handwritten signature in blue ink, appearing to read "Wayne Weaire".

Wayne Weaire
Chair